OVERVIEW

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

TITLE: FY23 GUIDELINES FOR BROWNFIELD CLEANUP GRANTS

ACTION: Request for Applications (RFA)

RFA NO.: EPA-I-OLEM-OBLR-22-09

ASSISTANCE LISTING NO.: 66.818

DATE: The closing date and time for receipt of applications is **November 22, 2022**, 11:59 p.m. Eastern Time (ET). Applications must be submitted through www.grants.gov. Applications received after 11:59 p.m. ET on November 22, 2022, will not be considered. Please refer to the *Due Date and Submission Instructions* in Section IV.B. and Appendix 1 for further instructions.

EPA continues to provide flexibility to applicants experiencing challenges related to COVID-19. Please see the **Flexibilities Available to Organizations Impacted by COVID-19** clause in Section IV of EPA's Solicitation Clauses[1] and the instructions outlined in Section IV.B. of this announcement.

FUNDING/AWARDS: EPA anticipates awarding a total estimated 73 Cleanup Grants for an estimated total of $60 million, subject to the quality of applications received, availability of funds, and other applicable considerations.

[1] *EPA's Solicitation Clauses* are available at www.epa.gov/grants/epa-solicitation-clauses.

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SECTION I. – FUNDING OPPORTUNITY DESCRIPTION

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) was amended by the Small Business Liability Relief and Brownfields Revitalization Act in 2002 to include Section 104(k), which provides federal financial assistance authorities for brownfields revitalization, including grants for assessment, cleanup, and revolving loan funds. The Brownfields Utilization, Investment, and Local Development (BUILD) Act (Public Law 115-141) enacted in 2018 reauthorized EPA's Brownfields Program and made additional amendments to CERCLA that affect EPA's brownfield grant authorities, and ownership and liability provisions. (Note: References to CERCLA in this solicitation refer to CERCLA as amended by the 2002 Small Business Liability Relief and Brownfields Revitalization Act and the 2018 BUILD Act.) EPA's Brownfields Program provides funds to empower states, tribal nations, communities, and nonprofit organizations to prevent, inventory, assess, clean up, and reuse brownfield sites. This guidance provides information on applying for **Cleanup Grants**. This program is being funded by the Infrastructure Investment and Jobs Act (Public Law 117-58, the "Bipartisan Infrastructure Law").

A **brownfield site is defined** in CERCLA § 101(39) as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land.

A critical part of EPA's Brownfields Program is to ensure that residents living in communities historically affected by economic disinvestment, health disparities, and environmental contamination have an opportunity to benefit from brownfields redevelopment. EPA's Brownfields Program has a rich history rooted in environmental justice and is committed to helping communities revitalize brownfield properties, mitigate potential health risks, and restore economic vitality.

EPA expects that funding awarded will advance the Biden Administration's Justice40 priorities which promises to deliver at least 40 percent of the overall benefits from key federal investments to disadvantaged communities.[2]

As described in Section V.A. of this announcement, applications will be evaluated based on the extent to which the applicant demonstrates: a vision for the cleanup, reuse and redevelopment of brownfield sites and a strategy for leveraging resources to help accomplish the vision; the environmental, social, health and economic needs and benefits of the target area; strong

[2] Disadvantaged – Consideration of appropriate data, indices, and screening tools to determine whether a specific community is disadvantaged should be based on a combination of variables that may include, but are not limited to, the following: low income, high and/or persistent poverty; high unemployment and underemployment; racial and ethnic residential segregation, particularly where the segregation stems from discrimination by government entities; linguistic isolation; high housing cost burden and substandard housing; distressed neighborhoods; high transportation cost burden and/or low transportation access; disproportionate environmental stressor burden and high cumulative impacts; limited water and sanitation access and affordability; disproportionate impacts from climate change; high energy cost burden and low energy access; jobs lost through the energy transition; and access to healthcare. Office of Management and Budget's Interim Implementation Guidance for the Justice40 Initiative Memo (July 20, 2021). www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf.

community engagement; reasonable costs, eligible tasks, and appropriate use of grant funding; the capacity for managing and successfully implementing the cooperative agreement; and other factors.

Prior to naming a contractor (including a consultant) or subrecipient in your application, please carefully review Section III.B.15. of these guidelines, Section IV of EPA's Solicitation Clauses, and Section D. in the FY23 Brownfields Frequently Asked Questions (FAQs).[3]

For the purposes of these guidelines, the term "grant" refers to the cooperative agreement that EPA will award to a successful applicant. Please refer to Section II.C. for a description of EPA's anticipated substantial involvement in the cooperative agreements awarded under these guidelines.

EPA urges applicants to review the FY23 FAQs.

I.A. Description of Grant

Cleanup Grants provide funding to carry out cleanup activities at brownfield sites owned by the applicant. An applicant may only submit ONE Cleanup Grant application in the FY23 competition cycle. Applicants may request either:

- Up to $500,000 to clean up one brownfield site or to allocate up to $500,000 among multiple sites;
- Between $500,001 and $1,000,000 to clean up one brownfield site or to allocate among multiple sites; or
- Between $1,000,001 and $2,000,000 to clean up one brownfield site or to allocate among multiple sites.

An applicant may request funding to address hazardous substances[4] and/or petroleum[5] contamination at one or more brownfield sites. If contamination at the site is co-mingled with both hazardous substances and petroleum contamination and the hazardous substances and petroleum-contaminated areas of the site are distinguishable, the application must address both eligibility criteria. If the hazardous substances and petroleum are co-mingled and not easily distinguishable, the applicant must indicate which contaminant is predominant and respond to the appropriate site eligibility criteria. An applicant cannot propose an alternate site if a site identified in the application is determined by EPA to be ineligible for funding. (Contact your Regional Brownfields Contact listed in Section VII. for more information.)

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[3] *The FY23 Brownfields Frequently Asked Questions (FAQs)* are available at www.epa.gov/brownfields/frequently-asked-questions-about-multipurpose-assessment-rlf-and-cleanup-grants.

[4] Hazardous substance sites eligible for funding are those sites with the presence or potential presence of hazardous substances, pollutants, contaminants, sites that are contaminated with controlled substances or that are mine-scarred lands. For more information, please refer to the FY23 FAQs.

[5] Petroleum sites eligible for funding are those sites that meet the definition set forth in CERCLA § 101(39)(D)(ii)(II), as further described in Section 1.3.2. in the *Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k)*.

An applicant must be the sole owner of the site(s) that is the subject of its Cleanup Grant application and must own the site(s) by **November 22, 2022**, to be eligible to receive a Cleanup Grant. For the purposes of eligibility determinations in these guidelines only, the term "own" means fee simple title through a legal document (for example, a recorded deed); unless EPA approves a different ownership arrangement (for example, a nominee agreement or 99-year irrevocable lease). (**Note: EPA strongly recommends contacting the Regional Brownfields Contact listed in Section VII. to ensure the proposed site(s) is eligible for funding prior to submitting your application.**) EPA will find applicants ineligible if they do not meet the ownership requirement by **November 22, 2022**. If awarded a Cleanup Grant, the recipient must retain ownership of the site(s) for the duration of time in which Brownfields Cleanup Grant funds are disbursed for the cleanup of the site(s). Refer to threshold criterion Section III.B.4. and FY23 FAQs for additional information.

Consistent with the direction on cost sharing in the Bipartisan Infrastructure Law, cost sharing and matching funds are not required under this competition.

Cleanup Grant applicants must have an ASTM E1903-19 Phase II environmental site assessment report(s) or equivalent site investigation report(s) completed that indicates a basic understanding of what contaminants need to be cleaned up on each site, even if further Phase II assessment work is required prior to application submission. Refer to threshold criterion Section III.B.8. for additional information.

For examples of grant project accomplishments across the country, please see the EPA Brownfield Grant Recipients Success Stories.[6] For more information on a range of brownfield funding topics, please refer to the FY23 FAQs.

I.B. Uses of Grant Funds

In addition to direct costs associated with the cleanup of a brownfield site, Cleanup Grant funds may be used for:

1. Direct costs associated with programmatic management of the grant, such as required performance reporting, cleanup oversight, and environmental monitoring of cleanup work.

   All costs charged to Cleanup Grants must be consistent with the requirements at 2 CFR Part 200, Subpart E.

2. A local government (as defined in 2 CFR § 200.1, *Local Government*, and summarized in Section III.A. of these guidelines and the Health Monitoring Fact Sheet[7]) may use up to 10% of its grant funds for the following activities:
   a. health monitoring of populations exposed to hazardous substances from a brownfield site; and

[6] The *Brownfield Grant Recipient Success Stories* are available at www.epa.gov/brownfields/brownfield-grant-recipient-success-stories.
[7] The *Health Monitoring Fact Sheet* is available at www.epa.gov/brownfields/brownfields-public-health-and-health-monitoring.

b. monitoring and enforcement of any institutional control used to prevent human exposure to any hazardous substance from a brownfield site.

3. A portion of the Brownfields Grant may be used to purchase environmental insurance. (See the FY23 FAQs for additional information on purchasing environmental insurance.)

Grant funds cannot be used for the payment of:

1. Direct costs for proposal preparation;

2. a penalty or fine;

3. a federal cost share requirement (for example, a cost share required by other federal funds);

4. administrative costs, including all indirect costs and direct costs for grant administration, in excess of five (5) percent of the total amount of EPA grant funding, with the exception of financial and performance reporting costs (which are considered allowable programmatic costs and not subject to the 5% limitation);

5. a response cost at a brownfield site for which the recipient of the grant is potentially liable under CERCLA §107;

6. a cost of compliance with any federal law, excluding the cost of compliance with laws applicable to the cleanup; or

7. unallowable costs (e.g., lobbying) under 2 CFR Part 200, Subpart E.

See the FY23 FAQs for additional information on ineligible grant activities and unallowable costs.

I.C. EPA Strategic Plan Linkage

The activities to be funded under this announcement support EPA's FY 2022-2026 Strategic Plan.[8] Awards made under this announcement will support Goal 6 – Safeguard and Revitalize Communities, Objective 6.1 – Clean Up and Restore Land for Productive Uses and Health Communities of EPA's Strategic Plan. All applications must be for projects that support this goal and objective.

I.D. Measuring Environmental Results: Anticipated Outputs/Outcomes

EPA requires that applicants adequately describe environmental outputs (performance measures) and outcomes to be achieved under assistance agreements.[9] Applicants must include specific statements describing the environmental results of the proposed project in terms of well-defined

[8] *EPA's Strategic Plan* is available at www.epa.gov/planandbudget/strategicplan.
[9] *EPA Order 5700.7, EPA's Policy for Environmental Results under EPA Assistance Agreements* is available at www.epa.gov/grants/epa-order-57007a1-epas-policy-environmental-results-under-epa-assistance-agreements.

outputs and, to the maximum extent practicable, well-defined outcomes that will demonstrate how the project will contribute to EPA's Strategic Plan and the goal and objective described above in Section I.C.

Applicants are required to describe how funding will help EPA achieve environmental outputs and outcomes in their responses to the ranking criteria in Section IV.E. Outputs and outcomes specific to each project will be identified as deliverables in the negotiated workplan if the application is selected for award. Recipients will be expected to report progress toward the attainment of expected project outputs and outcomes during the project performance period. Outputs and outcomes are defined as follows:

1. Outputs

   The term "outputs" refers to an environmental activity, effort, and/or associated work products related to an environmental goal or objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during the project period. The expected outputs for the grants awarded under these guidelines are cleaned up brownfield sites. Other outputs may include the number of community meetings held, the number of Analysis of Brownfield Cleanup Alternatives (ABCA) completed, the number of community involvement and cleanup plans completed, and/or the number of underground storage tanks pulled.

2. Outcomes

   The term "outcomes" refers to the result, effect, or consequence that will occur from carrying out the activities under the grant. Outcomes may be environmental, behavioral, health-related, or programmatic; must be qualitative or quantitative, and may not necessarily be achievable during the project period. Expected outcomes of Brownfield Grants include the number of jobs created and funding leveraged through the economic reuse of sites; the number of acres made ready for reuse; acres of greenspace created for communities; and the minimized exposure to hazardous substances and petroleum contamination.

I.E. Supporting Environmental Justice

EPA defines environmental justice as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. EPA has this goal for all communities and persons across the nation. Environmental justice will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work.[10]

Some communities experience disproportionate and adverse environmental, human health, climate-related and other cumulative impacts, as well as the accompanying economic challenges of such impacts. These disproportionate and adverse impacts result from industrial,

[10] For more information, please visit www.epa.gov/environmentaljustice.

governmental, commercial and/or other actions, and are likely to affect low-income and minorities.

Environmental justice can be supported through equitable development approaches *and* intentional strategies to ensure that low-income and minority communities not only participate in but also benefit from decisions that shape their neighborhoods and regions. There are many different approaches that promote equitable development, such as ensuring a mix of housing types across a range of incomes; access to fresh food; access to jobs; and access to local capital. Programs or policies can be put in place to help ensure the creation or integration of affordable housing; local or first-source hiring of contractor or subrecipient employees provided the recipient does not impose geographic preferences for procurements in violation of 2 CFR 200.319(c); minority contracting pursuant to 40 CFR Part 33; inclusionary zoning (where a percentage of new housing is designated as affordable housing); healthy food retailers in places where they do not exist (e.g., food deserts); co-operative ownership models where local residents come together to run a community-owned, jointly owned business enterprise; rent control or community land trusts (to help keep property affordable for residents); supportive local entrepreneurial activities; and adherence to equal lending opportunities.

Applicants should discuss and provide specific examples of how the proposed Brownfields Cleanup Grant project will address environmental justice challenges in Section IV.E. and responses will be evaluated against the criteria in Section V.A.

I.F. Additional Provisions for Applicants Incorporated Into the Solicitation

Additional provisions that apply to Sections III., IV., V., and VI. of this solicitation and/or awards made under this solicitation, can be found in EPA's Solicitation Clauses. These provisions are important for applying to this solicitation and applicants must review them when preparing applications. If you are unable to access these provisions electronically at the website above, please contact the Regional Brownfields Contact listed in Section VII. to obtain the provisions.

SECTION II. – AWARD INFORMATION

II.A. What is the Amount of Available Funding?

The estimated total funding available for Cleanup Grants under this solicitation is approximately $60 million. EPA anticipates awarding an estimated 40 Cleanup Grants for up to $500,000, an estimated 25 Cleanup Grants for projects that are between $500,001 and $1,000,000, and an estimated 8 Cleanup Grants for projects that are between $1,000,001 and $2,000,000. These amounts are subject to the availability of funds, quality of applications, and other applicable considerations.

In addition, EPA reserves the right to award additional grants under this competition should additional funding become available. Any additional selections for awards will be made no later than six months from the date of the original selection decision. EPA reserves the right to reject

all applications and make no awards under this announcement or make fewer awards than anticipated.

In appropriate circumstances, EPA reserves the right to partially fund applications by funding discrete portions or phases of proposed projects. To maintain the integrity of the competition and selection process, EPA, if it decides to partially fund an application, will do so in a manner that does not prejudice any applicants or affect the basis upon which the application, or portion thereof, was evaluated and selected for award.

II.B. What is the Project Period for Awards Resulting from this Solicitation?

The project period for Cleanup Grants is up to four years.

II.C. Substantial Involvement

The Brownfields Cleanup Grant will be awarded in the form of a cooperative agreement. Cooperative agreements require the EPA Project Officer to be substantially involved in overseeing the work performed by the selected recipients. Although EPA will negotiate precise terms and conditions related to substantial involvement as part of the award process, the anticipated substantial federal involvement for this project may include, but is not limited to:

- Close monitoring of the recipient's performance to verify the results;
- Collaboration during the performance of the scope of work including participation in project activities, to the extent permissible under EPA policies. Examples of collaboration include:
    - Consultation between EPA staff and the recipients on effective methods of carrying out the scope of work provided the recipient makes the final decision on how to perform authorized activities.
    - Advice from EPA staff on how to access publicly available information on EPA or other federal agency websites.
    - With the consent of the recipient, EPA staff may provide technical advice to recipient contractors or subrecipients provided the recipient approves any expenditures of funds necessary to follow advice from EPA staff. (The recipient remains accountable for performing contract and subaward management as specified in 2 CFR § 200.318 and 2 CFR § 200.332 as well as the terms of the EPA cooperative agreement.)
    - EPA staff participation in meetings, webinars, and similar events upon the request of the recipient or in connection with a co-sponsorship agreement.
- Reviewing proposed procurements in accordance with 2 CFR § 200.325, as well as the substantive terms of proposed contracts or subawards as appropriate;
- Reviewing the qualifications of key personnel (EPA does not have the authority to select employees or contractors, including consultants, employed by the award recipient or subrecipients receiving pass-through awards);
- Reviewing and commenting on quarterly and annual reports prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient); and

- Participation in periodic telephone conference calls to share ideas, project successes and challenges, etc., with EPA.

SECTION III. – ELIGIBILITY INFORMATION AND THRESHOLD CRITERIA

Note: Additional provisions that apply to this section can be found at EPA Solicitation Clauses.

III.A. Who Can Apply?

The following information indicates which entities are eligible to apply for a Cleanup Grant.

- General Purpose Unit of Local Government. [For purposes of the EPA Brownfields Grant Program, EPA uses the definition of *Local government* at 2 CFR § 200.1: Local government means a county, municipality, city, town, township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937), school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under state law), any other regional or interstate government entity, or any agency or instrumentality of a local government.]
- Land Clearance Authority or another quasi-governmental entity that operates under the supervision and control of, or as an agent of, a General Purpose Unit of Local Government.
- Government Entity Created by State Legislature.
- Regional Council established under governmental authority or group of General Purpose Units of Local Government established under Federal, state or local law (e.g., councils of governments) to function as a single legal entity with authority to enter into binding agreements with the Federal Government.
- Redevelopment Agency that is chartered or otherwise sanctioned by a state.
- State.
- Indian tribe other than in Alaska. (The exclusion of Tribes from Alaska, with the exception of the Metlakatla Indian Community as noted below, from Brownfields Grant eligibility is statutory at CERCLA § 104(k)(1)). Intertribal Consortia, comprised of eligible Indian tribes, are eligible for funding in accordance with EPA's policy for funding intertribal consortia published in the Federal Register on November 4, 2002, at 67 Fed. Reg. 67181. This policy also may be obtained from your Regional Brownfields Contact listed in Section VII.)
- Alaska Native Regional Corporation, Alaska Native Village Corporation, and Metlakatla Indian Community. (Alaska Native Regional Corporations and Alaska Native Village Corporations are defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 and following). For more information, please refer to the FY23 FAQs.)
- Nonprofit organization described in section 501(c)(3) of the Internal Revenue Code.
- Limited liability corporation in which all managing members are 501(c)(3) nonprofit organizations or limited liability corporations whose sole members are 501(c)(3) nonprofit organizations.
- Limited partnership in which all general partners are 501(c)(3) nonprofit organizations or limited corporations whose sole members are 501(c)(3) nonprofit organizations.

- Qualified community development entity as defined in section 45D(c)(1) of the Internal Revenue Code of 1986.
- Other nonprofit organizations. (For the purposes of the Brownfields Grant Program, the term "other nonprofit organization" consistent with the definition of *Nonprofit organization* at 2 CFR § 200.1 means any corporation, trust, association, cooperative, or other organization that is operated mainly for scientific, educational, service, charitable, or similar purpose in the public interest and is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization. The term includes nonprofit colleges, universities, and other educational institutions.)

Note, individual entities, for-profit organizations, and nonprofit organizations exempt from taxation under section 501(c)(4) of the Internal Revenue Code that lobby are not eligible to receive Brownfields Grants.

III.B. Threshold Criteria for Cleanup Grants

This section contains the threshold eligibility criteria that ensure applicants are eligible to receive a Cleanup Grant and that the proposed site(s) is eligible for funding. Threshold criteria are pass/fail and are based on certain requests for information identified below. The information you submit will be used by EPA solely to make eligibility determinations for Brownfield Grants and is not legally binding for other purposes including federal, state, or tribal enforcement actions. Only those applications that pass all the threshold criteria will be evaluated against the evaluation criteria in Section V.A. of this announcement.

Entities applying for an FY23 Cleanup Grant may not apply for an FY23 Revolving Loan Fund Grant (EPA-I-OLEM-OBLR-22-08) or Multipurpose Grant (EPA-OLEM-OBLR-22-10).

Applicants may not submit multiple applications (i.e., submit applications for different projects) under this solicitation. EPA considers departments, agencies, or instrumentalities of the same state, tribal, or city governments to be the same applicant if they are directly supervised or controlled by the same elected/appointed executive (even if they have different unique entity identifier numbers). For example, a corporation formed under state or local law to perform redevelopment activities on behalf of or in support of a local government that is primarily staffed by employees of that local government will be considered an agency of instrumentality of that local government for the purposes of this threshold criterion. These eligibility determinations are made on a case-by-case basis since state and local laws vary.

Applicants that exceed the number and type of applications allowable will be contacted, prior to review of any of the applications by EPA, to determine which application(s) the applicant will withdraw from the competition.

Applicants deemed ineligible for funding consideration as a result of the threshold eligibility review will be notified within 15 calendar days of the ineligibility determination.

If an application is submitted that includes any ineligible tasks, activities, or site(s), that portion of the application will be ineligible for funding and may, depending on the extent to which it affects the application, render the entire application ineligible for funding.

EPA staff will respond to questions regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about this announcement. For purposes of the threshold eligibility review, EPA, if necessary, may seek clarification of applicant information that is included in the application and/or consider information from other sources, including EPA files. Such communications shall not be used to correct application deficiencies or material omissions, materially alter the application or project proposed, or discuss changes to the applicant's responses to any evaluation or selection criteria.

In order to maintain the integrity of the competition process, EPA staff cannot meet with individual applicants to discuss draft applications, provide informal comments on draft applications, or provide advice to applicants on how to respond to ranking criteria. EPA's limitations on staff involvement with grant applicants are described in EPA's Policy for Competition of Assistance Agreements.[11]

Applications must substantially comply with the submission instructions and requirements set forth in Section IV. of this announcement or they will be rejected. Pages exceeding the page limits described in Section IV.C. for the Narrative Information Sheet and the Narrative, and attachments not specifically required, will not be reviewed.

In addition, applications must be submitted through www.grants.gov as stated in Section IV. and Appendix 1 of this announcement (except in the limited circumstances where another mode of submission is specifically allowed for as explained in Appendix 1) on or before the application submission deadline. Applicants are responsible for following the submission instructions in Section IV. and Appendix 1 of this announcement to ensure that their application is submitted on time. Please note that applicants experiencing technical issues with submitting through Grants.gov should follow the instructions provided in Appendix 1, which include both the requirement to contact Grants.gov and email a full application to EPA prior to the deadline.

Applications submitted outside of Grants.gov will be deemed ineligible without further consideration unless the applicant can clearly demonstrate that it was late due to EPA mishandling or because of technical problems associated with www.grants.gov or relevant www.sam.gov system issues. An applicant's failure to timely submit their application through www.grants.gov because they did not timely or properly register in www.sam.gov or www.grants.gov will not be considered an acceptable reason to consider a submission outside of Grants.gov.

EPA will verify that the Unique Entity Identifier (UEI) number listed on the application is the correct UEI number for the applicant's organization/department. If the correct UEI number is not included in the application, the application may be deemed ineligible. Applicants need to ensure that the correct Authorized Organization Representative (AOR) and UEI number of the entity

[11] *EPA Order 5700.5A1, EPA's Policy for Competition of Assistance Agreements* is available at www.epa.gov/grants/epa-order-57005a1-epas-policy-competition-assistance-agreements.

that will receive the award and will be held accountable by EPA for the proper expenditure of funds are listed on the application.

Responses to each item below are required and must be included as an attachment to the Narrative that is included in the application submitted to EPA. See Section IV.C. for a complete list of required documents that must be submitted.

1. **Applicant Eligibility**
   From the list of eligible entities in Section III.A., *Who Can Apply?*, indicate your applicant type and provide information that demonstrates how you are an eligible entity for a Cleanup Grant.

   - For entities that are cities, counties, tribes, or states, affirm that the organization is eligible for funding.
   - For government entities other than cities, counties, tribes, or states, attach documentation of your eligibility (e.g., resolutions, statutes, etc.).
   - For nonprofit organizations, or organizations comprised of nonprofit organizations, provide documentation as an attachment to the Narrative demonstrating tax-exempt status under section 501(c)(3) of the Internal Revenue Code. Note that nonprofit organizations not exempt from taxation under section 501(c)(3) of the Internal Revenue Code must submit other forms of documentation of nonprofit status; such as certificates of incorporation as nonprofit under state or tribal law.
   - For qualified community development entities, provide documentation as an attachment to the Narrative certifying the organization's status.

2. **Previously Awarded Cleanup Grants**
   Brownfield sites where EPA Cleanup Grant funds were previously expended may not receive additional EPA Cleanup Grant funding in FY23. An application for funding for a brownfield site where EPA Cleanup Grant funds were previously expended will not be eligible for funding under this competition.

   Affirm that the proposed site(s) has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

3. **Expenditure of Existing Multipurpose Grant Funds**
   Current EPA Brownfields Multipurpose Grant recipients must demonstrate that the recipient has received payment from EPA (also known as 'drawn down'), and drawn down funds have been disbursed, for at least 70.00% of the funding for each Multipurpose cooperative agreement by **October 1, 2022**, in order to apply for funding under this solicitation.

   In order to demonstrate this, applicants must attach a copy of a financial record displaying the amount of cooperative agreement funds drawn down (e.g., a report from the Automated Standard Application for Payments (ASAP) or general ledger entries). If necessary,

applicants may contact the assigned EPA Project Officer for the cooperative agreement or Jerry Minor-Gordon (minor-gordon.jerry@epa.gov) to obtain draw down information from EPA's grant financial database (Compass Data Warehouse). Disbursements of drawn down funds must comply with requirements in EPA's General Terms and Conditions for timely disbursement of EPA funds (i.e., recipients other than states must substantially disburse all of the funds within 5 business days of draw down).

Alternatively, the applicant must affirm it does not have an open[12] EPA Brownfields Multipurpose Grant.

If you are applying for multiple sites, threshold criteria responses must include responses to items 4. – 13. for each site.

4. **Site Ownership**
   To be eligible to receive a Cleanup Grant the applicant must be the sole owner of the site that is the subject of its Cleanup Grant application and must own the site by **November 22, 2022**. For the purposes of Brownfields Cleanup Grant eligibility determinations, the term "own" means fee simple title through a legal document (for example, a recorded deed); unless EPA approves a different ownership agreement (for example, a nominee agreement or 99-year irrevocable lease). (**EPA strongly recommends contacting the Regional Brownfields Contact listed in Section VII. to ensure the proposed site is eligible for funding prior to submitting your application.**) EPA will find applicants ineligible if they do not meet the ownership requirement by **November 22, 2022**. If awarded a Cleanup Grant, the recipient must retain ownership of the site(s) for the duration of time in which Brownfields Cleanup Grant funds are disbursed for the cleanup of the site(s).

5. **Basic Site Information**
   Identify: a) the name of the site; b) the address of the site, including zip code; and c) the current owner of the site (if you are not the current owner, the date you plan to acquire ownership of the site).

6. **Status and History of Contamination at the Site**
   Identify: a) whether this site is contaminated by hazardous substances or petroleum; b) the operational history and current use(s) of the site; c) environmental concerns, if known, at the site; and d) how the site became contaminated, and to the extent possible, describe the nature and extent of the contamination.

7. **Brownfields Site Definition**
   To be eligible for Brownfields Grant funding, sites must meet the definition of a brownfield under CERCLA § 101(39) as described in the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k).[13] The following types of properties are not eligible for Brownfields Grant funding:

[12] For the purposes of this requirement, the term "open" refers to a grant period of performance that has not ended.
[13] *Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k)* is available at www.epa.gov/brownfields/information-sites-eligible-brownfields-funding-under-cercla-ss-104k.

- facilities listed (or proposed for listing) on the National Priorities List (NPL);
- facilities subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and
- facilities that are subject to the jurisdiction, custody, or control of the U.S. government. (Note: Land held in trust by the U.S. government for an Indian tribe is eligible for funding.)

Affirm that the site is: a) not listed or proposed for listing on the National Priorities List; b) not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and c) not subject to the jurisdiction, custody, or control of the U.S. government. (Please refer to CERCLA §§ 101(39)(B)(ii), (iii), and (vii) and the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k).)

8. Environmental Assessment Required for Cleanup Grant Applications

A written ASTM E1903-19 or equivalent Phase II environmental site assessment report (a draft report is sufficient) must be completed prior to application submission. Equivalent reports include site investigations or remedial action plans developed for a state cleanup program or Office of Surface Mining surveys for mine-scarred lands. Describe the type of environmental assessments conducted at your proposed site (do not attach assessment reports). Provide the date of the Phase II or equivalent report. Contact your Regional Brownfields Contact listed in Section VII. if you have questions.

9. Site Characterization

Please review sections a., b, and c. below and only provide responses to the section(s) that pertain to your circumstance(s).

a. For an applicant that is a State or Tribal Environmental Authority: Include a statement affirming that there is a sufficient level of site characterization from the environmental site assessment performed to date for the remediation work to begin on the site(s).

   Alternatively, if additional assessment is needed to sufficiently characterize the site(s) for the remediation work to begin, include a statement to that effect. Additionally, affirm that there will be a sufficient level of site characterization from the environmental site assessment performed by June 15, 2023, for the remediation work to begin on the site(s).

b. For an applicant other than a State or Tribal Environmental Authority that is proposing a site(s) that is eligible to be enrolled in a voluntary response program, attach a current letter from the appropriate State or Tribal Environmental Authority (or equivalent state or tribal regulatory oversight authority) that:
   i. Affirms that the site(s) is eligible to be enrolled in the state or tribal voluntary response program.
   ii. Indicates whether the site(s) is enrolled, or intends to be enrolled, in the state or tribal voluntary response program.

iii. Indicates that there is a sufficient level of site characterization from the environmental site assessment performed to date for the remediation work to begin on the site(s); or
Indicates that additional assessment is needed to sufficiently characterize the site(s) for the remediation work to begin; and affirms that there will be a sufficient level of site characterization from the environmental site assessment performed by June 15, 2023, for the remediation work to begin on the site(s).

c. For an applicant other than a State or Tribal Environmental Authority that is proposing a site(s) that is not eligible to be enrolled in a voluntary response program or State or Tribal equivalent oversight program[14] (e.g., sites contaminated with hazardous building material):
   i. Attach a current letter from the appropriate State or Tribal Environmental Authority (or equivalent state or tribal regulatory oversight authority) that explains why the site(s) is not eligible to be enrolled.
   ii. Additionally, state in response to this threshold criterion whether an Environmental Professional (as defined in 40 CFR § 312.10) has certified that there is a sufficient level of site characterization from the environmental site assessment performed to date for the remediation work to begin on the site(s); or
   Indicates that additional assessment is needed to sufficiently characterize the site(s) for the remediation work to begin; and affirms that there will be a sufficient level of site characterization from the environmental site assessment performed by June 15, 2023, for the remediation work to begin on the site(s).

Applicants selected for funding that indicate that additional assessment is needed to sufficiently characterize the site(s) for the remediation work to begin must provide EPA with information that demonstrates compliance with this requirement by June 15, 2023. If applicants do not meet this requirement by June 15, 2023, EPA may not make the award due to a failure to meet this requirement.

If sections b. and c. above pertain to you, you need to receive only one letter from your State or Tribal Environmental Authority acknowledging the requirements of both circumstances. Coordinate early with your State or Tribal Environmental Authority (or equivalent state or tribal regulatory oversight authority) in order to allow adequate time for you to obtain the letter and include it with your application.

10. Enforcement or Other Actions

Identify known ongoing or anticipated environmental enforcement or other actions related to the site for which Brownfields Grant funding is sought. If there are known ongoing or anticipated environmental enforcement or other actions related to the site, provide information on any inquiries, or orders from federal, state, or local government entities that the applicant is aware of regarding the responsibility of any party (including the applicant) for the contamination, or hazardous substances at the site, including any liens. The information provided in this section may be verified, and EPA may conduct an independent

[14] Some states allow private firms to oversee cleanups on behalf of the state if certain standards are met. EPA accepts this practice for the purposes of complying with this threshold requirement.

review of information related to the applicant's responsibility for the contamination or hazardous substances at the site, or the site's eligibility.

Alternatively, affirm there are no known ongoing or anticipated environmental enforcement or other actions related to the site for which Brownfields Grant funding is sought.

11. Sites Requiring a Property-Specific Determination

Certain types of sites require a property-specific determination in order to be eligible for Brownfields Grant funding. Please refer to Section 1.5 in the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) and the information below to determine whether your site requires a property-specific determination. If your site requires a property-specific determination, then you must attach the information requested in the FY23 FAQs. If not required, affirm that the site does not need a Property-Specific Determination.

The following special classes of property require a "Property-Specific Determination" from EPA to be eligible for Brownfields Grant funding:

- properties subject to planned or ongoing removal actions under CERCLA;
- properties with facilities that have been issued or entered into a unilateral administrative order, a court order, an administrative order on consent, or judicial consent decree or to which a permit has been issued by the United States or an authorized state under the Resource Conservation and Recovery Act (RCRA), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SDWA);
- properties with facilities subject to RCRA corrective action (§ 3004(u) or § 3008(h)) to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures;
- properties that are land disposal units that have submitted a RCRA closure notification or that are subject to closure requirements specified in a closure plan or permit;
- properties where there has been a release of polychlorinated biphenyls (PCBs) and all, or part, of the property is subject to TSCA remediation; and
- properties that include facilities receiving monies for cleanup from the Leaking Underground Storage Tank (LUST) Trust Fund (see the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) for a definition of LUST Trust Fund sites).

EPA's approval of Property-Specific Determinations will be based on whether or not awarding a grant will protect human health and the environment, and either promote economic development or enable the property to be used for parks, greenways, and similar recreational or nonprofit purposes. Property-Specific Determination requests must be included in your application as an attachment and do not count toward the 10-page limit for the Narrative. (See the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) for more information or contact your Regional Brownfields Contact listed in Section VII. if you think your site requires a Property-Specific Determination.)

12. Threshold Criteria Related to CERCLA/Petroleum Liability

Entities liable for contamination on the site(s) are not eligible for Brownfields Grant funding. The following items are intended to help EPA ensure that you are not liable under CERCLA §107 for response costs at the site(s) designated in your Narrative, or determine, if necessary, that your site(s) is eligible for funding as a petroleum site(s). Please respond to the following items fully and in the order that they appear. Note, based on your responses, EPA may need to obtain additional information to make a determination of eligibility.

If the site is contaminated with hazardous substances, please **respond to all the items under a**.

If the site is contaminated with petroleum or petroleum product, please **respond to all the items under b.**, including the requirement to provide a petroleum determination letter.

If the site is co-mingled with hazardous substances and petroleum contaminants, determine whether the predominant contaminant is hazardous substances or petroleum, and respond to the corresponding items (as noted above).

If the site is contaminated with hazardous substances and petroleum, and the hazardous substances and petroleum contaminated areas of the site are distinguishable, **respond to all the items under a. and b.**, including the requirement to provide a petroleum determination letter.

a. Property Ownership Eligibility – Hazardous Substance Sites

For sites contaminated by hazardous substances, persons, including government entities, who may be found liable for the contamination under CERCLA §107 are not eligible for grants. Liable parties may include all current owners and operators, former owners and operators of the site at the time of disposal of hazardous substances, and parties that arranged for, or contributed to, the disposal or treatment of hazardous substances on the site. Therefore, even owners who did not cause or contribute to the contamination may be held liable.[15]

To be eligible for a Brownfields Grant to address hazardous substances at a brownfield property, eligible entities must demonstrate that they:

- Are exempt from CERCLA liability; or
- Qualify for funding because the property is publicly owned and was acquired prior to January 11, 2002; or
- Meet the requirements for asserting an affirmative defense to CERCLA liability through one of the landowner liability protections (e.g., the bona fide prospective purchaser liability protection per CERCLA §101(40)).

Please review sections i., ii., and iii. below and **only provide responses to the section that pertains to your circumstance.**

[15] Note that under Section 7 of the BUILD Act, a government entity that acquired property prior to January 11, 2002 is eligible for Brownfields Grant funding even if it does not qualify as a BFPP, so long as the entity did not cause or contribute to the release or threat of release of a hazardous substance at the property.

For additional information on the CERCLA liability framework and protections that may apply to local government acquisitions of contaminated property, see EPA's Guidance: Superfund Liability Protections for Local Government Acquisitions.[16]

i. EXEMPTIONS TO CERCLA LIABILITY

(1) Indian Tribes

EPA does not consider Indian tribes to be liable under CERCLA and, therefore, tribes are exempt from demonstrating that they meet the requirements of a CERCLA liability defense to be eligible for a Brownfields Grant.

Affirm the applicant is an Indian tribe and is therefore exempt from demonstrating that they meet the requirements of a CERCLA liability defense.

(2) Alaska Native Village Corporations and Alaska Native Regional Corporations

Alaska Native Village Corporations and Alaska Native Regional Corporations that acquired title to property from the U.S. Government under the Alaska Native Claims Settlement Act are excluded from the CERCLA definition of 'owner/operator' and are therefore exempt from CERCLA liability for any previous contamination at the property provided that the Alaska Native Village Corporation or Alaska Native Regional Corporation did not cause or contribute to the release or threatened release of a hazardous substance. Entities that satisfy these conditions are eligible for a Brownfields Grant.

Note, Alaska Native Village Corporations and Alaska Native Regional Corporations that purchased the subject property must respond to section ii. or section iii. below as appropriate.

Provide the following to demonstrate that the Alaska Native Village Corporation or Alaska Native Regional Corporation is exempt from CERCLA liability:

(a) Describe in detail the circumstances of the acquisition.
(b) Provide the date on which the property was acquired.
(c) Identify whether you caused or contributed to any release of hazardous substances at the site.

(3) Property Acquired Under Certain Circumstances by Units of State and Local Government

Per CERCLA § 101(20)(D), state and local units of government that acquired ownership or control of a property by any of the circumstances listed below and did not cause or contribute to the release or threatened release of a hazardous substance at the property, are exempt from liability for any previous contamination at that property and, therefore, do **not** have to demonstrate that

[16] EPA's Guidance: Superfund Liability Protections for Local Government Acquisitions is available at www.epa.gov/enforcement/guidance-superfund-liability-protections-local-government-acquisitions.

they meet the requirements of a CERCLA liability defense to be eligible for a Brownfields Grant. Such circumstances include:

- Seizure or in connection with law enforcement activity;
- Bankruptcy;
- Tax delinquency; or
- Abandonment.

Further, EPA will treat acquisitions by escheat and inter-governmental transfers through uniquely governmental functions as exempt from liability if the other conditions in CERCLA § 101(20)(D) are met.

See the FY23 FAQs for additional information on the types of acquisitions that are not exempt from CERCLA liability.

Provide the following to demonstrate that the State or local government is exempt from CERCLA liability:

(a) Describe in detail the circumstances (from the list above) under which the property was acquired.
(b) Provide the date on which the property was acquired.
(c) Identify whether all disposal of hazardous substances at the site occurred before you acquired the property.
(d) Affirm that you have not caused or contributed to any release of hazardous substances at the site.
(e) Affirm that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

ii. EXCEPTIONS TO MEETING THE REQUIREMENTS FOR ASSERTING AN AFFIRMATIVE DEFENSE TO CERCLA LIABILITY

(1) Publicly Owned Brownfield Sites Acquired Prior to January 11, 2002

Per CERCLA § 104(k)(3)(E), if an applicant that is a public entity (such as a state or local government) acquired property prior to January 11, 2002, the applicant is eligible for a Brownfields Grant and may use grant funds to address contamination at the property, even if the entity does not qualify as a bona fide prospective purchaser, provided the applicant did not cause or contribute to the release or threatened release of a hazardous substance at the property.

Provide the following information to demonstrate that the applicant qualifies for the exception at CERCLA § 104(k)(3)(E):

(a) Describe in detail the circumstances under which the property was acquired.
(b) Provide the date on which the property was acquired.
(c) Identify whether all disposal of hazardous substances at the site occurred before you acquired the property.
(d) Affirm that you have not caused or contributed to any release of hazardous substances at the site.

(e) Affirm that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

iii. LANDOWNER PROTECTIONS FROM CERCLA LIABILITY

To be eligible to expend Brownfields Grant funding at a site owned by an eligible entity (including state, local government, nonprofit organizations, etc.), the applicant must establish that it is a bona fide prospective purchaser (BFPP), contiguous property owner (CPO), or innocent landowner (ILO), as defined in CERCLA, unless the applicant qualifies for one of the exemptions from liability noted earlier in this section of the guidelines.

Applicants asserting that they meet the BFPP, CPO, or ILO liability protection must review EPA's Landowner Liability Protections[17] webpage and contact the Regional Brownfields Contact listed in Section VII. to determine which eligibility criteria apply. For more comprehensive guidance on the landowner liability protections, see EPA's Enforcement Discretion Guidance Regarding Statutory Criteria for Those Who May Qualify as CERCLA Bona Fide Prospective Purchasers, Contiguous Property Owners, or Innocent Landowners ("Common Elements").[18]

(1) Bona Fide Prospective Purchaser Liability Protection

Applicants that acquired property after January 11, 2002, and are asserting the BFPP liability protection (the most common liability protection) must demonstrate that they complied or are complying with all of the requirements listed below.

- The owner must have acquired title to a property after January 11, 2002.
- The owner must have conducted all appropriate inquiries (AAI) prior to acquiring the property. AAI, typically met by conducting a Phase I Environmental Site Assessment using the ASTM E1527-13 (or ASTM E2247-16) standard practice, must be conducted or updated within one year prior to the date the property is acquired (i.e., the date on which the entity takes title to the property). In addition, certain aspects of the AAI or Phase I Environmental Site Assessment must be updated, prior to property acquisition, if the activities were conducted more than six months prior to the date of acquisition.
- The owner must not be liable in any way for contamination at the site or affiliated with any other person potentially liable for the contamination. (Affiliations include familial, contractual, financial, or corporate relationships that are the result of a reorganization of a business entity with potential liability.)
- All disposal of hazardous substances at the site occurred before the person acquired the site.

[17] The *Landowner Liability Protections* are available at www.epa.gov/enforcement/landowner-liability-protections.
[18] The *"Common Elements"* guidance is available at www.epa.gov/enforcement/common-elements-guidance.

- The owner must exercise appropriate care by taking reasonable steps to address releases, including stopping continuing releases and preventing threatened future releases and exposures to hazardous substances on the site.
- The owner must comply with any land use restrictions and not impede the effectiveness or integrity of any institutional controls associated with response actions at the site.
- The owner must provide full cooperation, assistance, and access to authorized persons.
- The owner must comply with any CERCLA information requests and administrative subpoenas, and provide all legally required notices with respect to the discovery or release of any hazardous substances found at the site.
- The owner must not impede performance of a response action or natural resource restoration.

Demonstrate that the applicant meets the requirements for the BFPP CERCLA liability protection.

(a) Information on the Property Acquisition You may combine responses to the following into one response, though please be sure to answer each item fully. Provide information on:
   (i) how you acquired (or will acquire) ownership (e.g., negotiated purchase from a private individual, voluntary purchase or transfer from another governmental unit, donation or gift, inheritance or bequest, eminent domain, or other circumstance (describe));
   (ii) the date you acquired the property;
   (iii) the nature of your ownership (fee simple) (note that you must have sole ownership of the site to be eligible for funding; unless EPA approves a different ownership arrangement);
   (iv) the name and identity of the party from whom you acquired ownership (i.e., the transferor); and
   (v) all familial, contractual, corporate, or financial relationships or affiliations you have or had with all prior owners or operators (or other potentially responsible parties) of the property (including the person or entity from which you acquired the property).

(b) Pre-Purchase Inquiry Describe any inquiry by you or others into the previous ownership, uses of the property, and environmental conditions conducted prior to taking ownership. Please include the items below in your description.
   (i) The types of site assessments performed (e.g., ASTM E1527-13 Phase I), the dates of each assessment, and the entity for which they were performed (state whether the assessment was performed specifically for you, or if not, the name of the party that had the assessment performed and that party's relationship to you).
   (ii) Who performed the AAI investigation or Phase I environmental site assessments and identify his/her qualifications to perform such work.

(iii) If the original AAI investigation or Phase I environmental site assessment was conducted more than 180 days prior to the date you acquired the property, affirm that you conducted the appropriate updates in the original assessment within 180 days prior to your acquisition of the property in order to take advantage of the bona fide prospective purchaser provision.

(c) Timing and/or Contribution Toward Hazardous Substances Disposal Identify whether all disposal of hazardous substances at the site occurred before you acquired the property and whether you caused or contributed to any release of hazardous substances at the site. Affirm that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

(d) Post-Acquisition Uses Describe all uses of the property since you acquired ownership through the present, including any uses by persons or entities other than you. Please provide a timeline with the names of all current and prior users during the time of your ownership; the dates of all uses; the details of each use, including the rights or other reason pursuant to which the use was claimed or taken (e.g., lease, license, trespass); and your relationship to the current and prior users.

(e) Continuing Obligations Describe in detail the **reasonable steps**[19] you took with respect to hazardous substances found at the site to:

(i) stop any continuing releases;
(ii) prevent any threatened future release; and
(iii) prevent or limit exposure to any previously released hazardous substance.

Please confirm your commitment to:

(i) comply with any land use restrictions and not impede the effectiveness or integrity of any institutional controls;
(ii) assist and cooperate with those performing the cleanup and provide access to the property;
(iii) comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and
(iv) provide all legally required notices.

For further information, please see FY23 FAQs on All Appropriate Inquiries and the Brownfields All Appropriate Inquiries[20] webpage.

[19] Please note that reasonable steps may include actions such as limiting access to the property, monitoring known contaminants, and complying with state and/or local requirements. The steps taken to prevent or limit exposure to previously released hazardous substances may depend, for example, on such things as the location of the site in relation to the public and whether the public has been known to use (or even trespass on) the site.

[20] The *Brownfields All Appropriate Inquiries* webpage is available at www.epa.gov/brownfields/brownfields-all-appropriate-inquiries.

Non-Publicly Owned Sites Acquired Prior to January 11, 2002

Although the statute limits eligibility for the BFPP liability protection to entities that acquire property after January 11, 2002, a Brownfields Grant applicant that is not a public entity (such as a nonprofit organization), for grant purposes only, is eligible for a grant if it acquired the site prior to January 11, 2002, provided the applicant can demonstrate it performed environmental due diligence that was customary at the time and did not cause or contribute to the release or threatened release of a hazardous substance. (For a site acquired by a public entity prior to January 11, 2002, please review Section III.B.12.a.ii. above.)

For applicants that are not public entities that acquired property prior to January 11, 2002, provide the information requested below.

(a) Describe in detail the circumstances of the acquisition.
(b) Provide the date on which the property was acquired.
(c) Discuss the environmental due diligence you performed prior to your acquisition of the site and/or affirm that it was customary at the time of acquisition.
(d) Identify whether all disposal of hazardous substances at the site occurred before you acquired the property.
(e) Affirm that you have not caused or contributed to any release of hazardous substances at the site.
(f) Affirm that you have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.
(g) Describe in detail the **reasonable steps**[21] you took with respect to hazardous substances found at the site to:
    i. stop any continuing releases;
    ii. prevent any threatened future release; and
    iii. prevent or limit exposure to any previously released hazardous substance.

For more information on the CERCLA landowner liability protections, please refer to Fact Sheet: EPA Brownfields Grants, CERCLA Liability, and All Appropriate Inquiries.[22]

Applicants may also call the Regional Brownfields Contact listed in Section VII. with questions about BFPP, CPO, or ILO eligibility.

b. Property Ownership Eligibility – Petroleum Sites

In addition to the basic Brownfield Grant eligibility criteria, eligibility for petroleum sites is determined by applying the criteria established in the statute: there can be no viable

[21] Please note that reasonable steps may include actions such as limiting access to the property, monitoring known contaminants, and complying with state and/or local requirements. The steps taken to prevent or limit exposure to previously released hazardous substances may depend, for example, on such things as the location of the site in relation to the public and whether the public has been known to use (or even trespass on) the site.

[22] *Fact Sheet: EPA Brownfields Grants, CERCLA Liability, and All Appropriate Inquiries* is available at www.epa.gov/brownfields/fact-sheet-epa-brownfields-grants-cercla-liability-and-all-appropriate-inquiries.

responsible party, the applicant cannot be potentially liable for cleaning up the site, and the site must not be subject to a RCRA corrective action order. If a party is identified as being responsible for contamination at the site and that party is financially viable, then the site is not eligible for Brownfields Grant funding (refer to Section 1.3.2. in the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) for more information). Generally, petroleum site eligibility will be determined by the state. Where the state is unable to make the eligibility determination, EPA will make the determination. EPA will make the determination for tribes.

Non-tribal applicants must provide the information required for a petroleum site eligibility determination (listed below) to your state so that the state can make the necessary determination on petroleum site eligibility. You must provide EPA with a copy of the state determination letter as an attachment to your Narrative. If the state does not make the determination before the application due date or is unable to make the determination, please attach a copy of the request you sent to the state. (**Note:** You must provide EPA with the date you submitted your request to the state to make the petroleum site determination. EPA will make the petroleum site eligibility determination if a state is unable to do so following a request from an applicant.) Also, in your letter to the state, please request that the state provide information regarding whether it applied EPA's guidelines in making the petroleum determination, or if not, what standard it applied.

Tribal applicants must submit the information required for a petroleum site eligibility determination (listed below) as an attachment to your Narrative. EPA will make the petroleum site eligibility determinations for tribes.

i. INFORMATION REQUIRED FOR A PETROLEUM SITE ELIGIBILITY DETERMINATION

(1) Current and Immediate Past Owners Identify the current and immediate past owner of the site. Alternatively, if one or more underground storage tank (UST) is the source of the petroleum contamination, identify the current and immediate past owner of the UST(s). (For Cleanup Grants, the applicant must be the current owner.)

(2) Acquisition of Site Identify when and by what method the current owner acquired the property (e.g., purchase, tax foreclosure, donation, eminent domain).

(3) No Responsible Party for the Clean Up of the Site Identify whether the current and immediate past owner of the real property (or if one or more UST is the source of the petroleum contamination, identify the current and immediate past owner of the UST(s)): (i) dispensed or disposed of petroleum or petroleum product contamination, or exacerbated the existing petroleum contamination at the site; (ii) owned the site (or in the case of UST-related contamination, owned the UST(s)), when any dispensing or disposal of petroleum (by others) took place; and (iii) took reasonable steps with regard to the contamination at the site.

(4) Cleaned Up by a Person Not Potentially Liable Identify whether you (the applicant) dispensed or disposed of petroleum or petroleum product, or exacerbated the existing petroleum contamination at the site, and whether you took reasonable steps with regard to the contamination at the site.

(5) Judgments, Orders, or Third-Party Suits Provide information that no responsible party (including the applicant) is identified as potentially liable for cleaning up the site, through either:
   (a) a judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site; or
   (b) an enforcement action by federal or state authorities against any party that would require any person to assess, investigate, or clean up the site; or
   (c) a citizen suit, contribution action, or other third-party claim brought against the current or immediate past owner of the site (or where a UST(s) is involved, the current or immediate past owner of the UST(s)), that would, if successful, require the assessment, investigation, or cleanup of the site.

(6) Subject to RCRA Identify whether the site is subject to any order under §9003(h) of the Solid Waste Disposal Act.

(7) Financial Viability of Responsible Parties For any current or immediate past landowners (or where appropriate, current or immediate past UST owners), identified as responsible for the contamination at the site, provide information regarding whether they have the financial capability to satisfy their obligations under federal or state law to assess, investigate, or clean up the site.

Note: If no responsible party is identified in (3) or (4) above, then the petroleum-contaminated site may be eligible for funding. If a responsible party is identified above, EPA or the state must next determine whether that party is viable. If any such party is determined to be viable, then the petroleum-contaminated site may not be eligible for funding. For more information, see the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k).

13. Cleanup Authority and Oversight Structure

Please note that you will be required to comply with all applicable federal and state laws and ensure that each cleanup project protects human health and the environment.

a. Describe how you will oversee the cleanup at the site(s). Indicate whether you plan to enroll in a state or tribal response program. If you do not plan to enroll in a state or tribal response program, or an appropriate state or tribal response program is not available, you will be required to consult with EPA to ensure the cleanup is protective of human health and the environment. Therefore, if you do not plan to enroll in a state or tribal response program, provide a description of the technical expertise you have to conduct, manage, and oversee the cleanup and/or whether you plan to acquire additional technical expertise. If you do plan to acquire additional technical expertise, discuss how you will comply with the competitive procurement provisions of 2 CFR §§ 200.317 through

200.327 and ensure that this technical expertise is in place prior to beginning cleanup activities.

b. Cleanup response activities often impact adjacent or neighboring properties. For example, access to neighboring properties may be necessary to conduct the cleanup, perform confirmation sampling, or monitor offsite migration of contamination. If this type of access is needed, provide your plan to acquire access to the relevant property(ies).

14. Community Notification

The applicant must provide the community with notice of its intent to apply for an EPA Brownfields Cleanup Grant and allow the community an opportunity to comment on the draft application. The community notification ad (or equivalent), public meeting, and other requirements discussed below must be current and related to this specific application. All applicants, including applicants in communities impacted by COVID-19, must meet these requirements. **Failure to demonstrate timely community notification will result in disqualification of the application.** Refer to the FY23 FAQs for examples of acceptable community notification methods including alternatives for COVID-19 impacted communities.

Applicants who are proposing multiple sites may plan to have a single community notification ad (or equivalent) and meeting to address the multiple sites. However, all target communities must receive the notification and be provided an opportunity to comment on the application.

a. Draft Analysis of Brownfield Cleanup Alternatives

The applicant must allow the community an opportunity to comment on the draft application, which must include an attached draft Analysis of Brownfield Cleanup Alternatives (ABCA). The draft ABCA(s) must briefly summarize information about:

- the site and contamination issues, cleanup standards, and applicable laws;
- the cleanup alternatives considered (for each alternative considered and the alternative chosen including information on the effectiveness, the ability of the applicant to implement, the resilience to address potential adverse impacts caused by extreme weather events, the cost, and an analysis of the reasonableness); and
- the proposed cleanup.

Applicants requesting funding for multiple sites must include a draft ABCA for each site.

The draft ABCA(s) submitted as part of the application is intended as a brief preliminary document. A suggested outline, with information that the ABCA must contain, can be found in the FY23 FAQs.

If the application is selected for funding, recipients will be required to finalize the ABCA(s) and make it available for additional public review and comment as part of their

pre-cleanup activities. (See the Brownfield Programmatic Requirements[23] for more information.)

b. Community Notification Ad

The applicant must publish a community notification ad in the local newspaper or an equivalent means customarily used to communicate to the target community(ies) (e.g., notifying the target community via website, listserv, social media, radio or television broadcast, etc.) **no later than 14 calendar days before** the application is **submitted** to EPA.[24]

The community notification ad (or equivalent) must clearly state:

- that a copy of this grant application, including the draft ABCA(s), is available for public review and comment;
- how to comment on the draft application;
- where the draft application is located (e.g., town hall, library, website); and
- the date, time, and location of the public meeting(s).

All target communities, including community members with limited English proficiency and community members with disabilities, must receive the notification and be provided an opportunity to comment on the application.

Refer to the FY23 FAQs for examples of acceptable community notification methods.

c. Public Meeting

The applicant must hold a public meeting to discuss the draft application and consider public comments prior to submittal of this application. A regularly scheduled community meeting where multiple topics are discussed is sufficient provided there is an opportunity to discuss the draft application. The public meeting may be held in person, virtually, and/or by teleconference, must be accessible to persons with limited English proficiency and persons with disabilities, and must be held prior to submittal of this application.

From the meeting, the applicant must produce:

- the comments or a summary of the public comments received;
- the applicant's response to those comments;
- meeting notes or a summary of the public meeting(s); and
- meeting sign-in sheet/participant list.

In addition to the public meeting, the applicant may choose to host additional outreach sessions via webinars, or other media outlets, to further engage the community and solicit comments on the application.

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[23] The *Brownfield Programmatic Requirements* are available at www.epa.gov/brownfields/programmatic-requirements-brownfields-grants.

[24] If you submit the application on November 22, 2022, the community notification ad must be published no later than **November 8, 2022**. If you submit the application before November 22, 2022, the community notification ad must be published at least 14 calendar days before the date you **submit** the application to EPA.

d. Submission of Community Notification Documents

The applicant must attach the items listed below to the application submitted to EPA:

- a copy of the draft ABCA(s);
- a copy of the newspaper ad (or equivalent) that demonstrates solicitation for comments on the application and that notification to the public occurred at least 14 calendar days before the application was submitted to EPA. An equivalent method may include, for example, a dated image of the website or copy of the listserv message used to notify the public;
- the comments or a summary of the comments received;
- the applicant's response to those public comments;
- meeting notes or summary from the public meeting(s); and
- meeting sign-in sheet/participant list.

If one or more of the above-requested attachments are not submitted with the application, please explain why the requested attachment is not included.

15. Contractors and Named Subrecipients

- **Contractors.**
  EPA does not require or encourage applicants to procure contractors (including consultants) before the EPA cooperative agreement is awarded, but applicants may choose to do so.

  Applicants, other than state applicants, that have procured a contractor(s) where the amount of the contract will be more than the micro-purchase threshold in 2 CFR § 200.320(a)(1) ($10,000 for most applicants) must demonstrate how the contractor (including consultants) was selected in compliance with the fair and open competition requirements in 2 CFR Part 200 and 2 CFR Part 1500.[25] EPA provides guidance on complying with the competition requirements in the Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements.[26] For example:

  - EPA will not accept sole source justifications for procurement contracts for services such as environmental consulting, engineering, and remediation that are available in the commercial marketplace.

  - Firms or individual consultants that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements as provided in 2 CFR § 200.319(b).

[25] Consistent with 2 CFR § 200.317, states follow the same competitive policies and procedures they use for procurements from their non-Federal funds.

[26] *EPA's Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements* is available at www.epa.gov/grants/best-practice-guide-procuring-services-supplies-and-equipment-under-epa-assistance-agreements.

Applicants must disclose whether they have already selected a contractor that will be compensated with EPA funds made available under this RFA. If a contractor(s) has been selected prior to submitting the application to EPA (including when a contractor(s) has been selected under a "dual procurement process" for both grant proposal writing and services necessary to help you carry out the grant), applicants must describe the procurement procedures that were followed to hire the contractor(s) and include information on **where and when** the Request for Proposals/Request for Qualifications was posted as part of the application. Include in your response the number of firms solicited and the number of offers received and considered.

Alternatively, state 'n/a' or 'not applicable' if a contractor has not been procured.

Successful applicants that procure a contractor(s) after being advised by EPA of selection, but prior to award, must describe how they complied with the procurement procedures described above when submitting the final workplan for the award.

Recipients of EPA funding who select a contractor(s) after award must fully comply with the procurement standards at 2 CFR Part 200, 2 CFR Part 1500, and 40 CFR Part 33.

- **Named Subrecipients.**
  EPA does not require or encourage applicants to name a specific subrecipient(s) in the application for Brownfields Grant funding. However, if an applicant chooses to identify a specific subrecipient(s) to conduct work proposed in this application, the applicant must comply with the following requirements even if the entity is referred to as a "partner" in the application.

  Successful applicants that do not name a specific subrecipient(s) in their application but identify a subrecipient(s) after being advised of selection, must also comply with the requirements described below.

  All applicants, including states, that name a specific subrecipient in this application must demonstrate that the subrecipient is eligible for a subaward in compliance with Appendix A[27] of EPA's Subaward Policy for EPA Assistance Agreement Recipients.[28] This policy provides, among other things, that transactions between recipients and for-profit firms and individual consultants are procurement contracts rather than subawards when the transaction involves the acquisition of services from the firm or individual.

[27] *Appendix A of EPA's Subaward Policy* is available at www.epa.gov/sites/production/files/2020-11/documents/gpi-16-01-subaward-policy_app-a.pdf.
[28] *EPA's Subaward Policy for EPA Assistance Agreement Recipients* is available at https://www.epa.gov/grants/grants-policy-issuance-gpi-16-01-epa-subaward-policy-epa-assistance-agreement-recipients.

Refer to EPA's Contracts and Subawards Solicitation Clause[29] for additional guidance on these requirements which must be met for all contractors (except for micro-purchases as described above) and/or subrecipients specifically named in the application.

Describe how the named subrecipient is eligible for a subaward (e.g., is a nonprofit organization or unit of government). Alternatively, state 'n/a' or 'not applicable' if a subrecipient is not named.

Failure to demonstrate compliance with these requirements in the application will result in rejection of the application. EPA staff may contact the applicant to clarify issues or obtain additional information before making a final determination of compliance and rejection of the application. Please see Section D. in the FY23 FAQs for additional guidance.

SECTION IV. – APPLICATION SUBMISSION INFORMATION

Note: Additional provisions that apply to this section can be found at EPA Solicitation Clauses.

IV.A. How to Obtain an Application Package

An application package may be obtained by visiting this opportunity (EPA-I-OLEM-OBLR-22-09) on www.grants.gov. Applicants will be prompted to initiate the application process by generating a Workspace for this opportunity.

IV.B. Due Date and Submission Instructions

Your organization's Authorized Organization Representative (AOR) must submit your complete application package[30] electronically to EPA through www.grants.gov. Applications must be received no later than 11:59 p.m. ET on **November 22, 2022**. Please allow enough time to successfully submit your application package and allow for unexpected errors that may require you to resubmit. Occasionally, technical and other issues arise when using www.grants.gov.

Applications received after 11:59 p.m. ET on **November 22, 2022**, will not be considered for funding.

Follow the Submission Instructions in Section B.1. in Appendix 1 for the requirements to apply in www.grants.gov. In order to submit an application through www.grants.gov, your organization must:

- Have an active System for Award Management (SAM) account in www.sam.gov and a Unique Entity Identifier (UEI) assigned by www.sam.gov;
- Be registered in www.grants.gov; and
- Have the E-Business Point of Contact designate an AOR in www.grants.gov.

[29] *EPA's Solicitation Clauses* are available at www.epa.gov/grants/epa-solicitation-clauses.
[30] Note, for the purposes of this competition, the "application package" includes the required federal forms available at www.grants.gov, as well as the Narrative Information Sheet, the Narrative and associated attachments.

The registration process for all the above items **may take a month or more to complete**. Please refer to the FY23 FAQs for additional information on the registration requirements.

The electronic submission of your application must be made by the AOR of your institution who is registered with www.grants.gov and is authorized to sign applications for federal assistance. Refer to Appendix 1 for specific instructions on how to apply through www.grants.gov.

If you do not have the technical capability to apply electronically through www.grants.gov because of limited or no Internet access which prevents you from being able to upload the required application materials to www.grants.gov, please refer to the procedures in Appendix 1.

You should make every effort to complete the registration process in order to apply through www.grants.gov. However, if you are experiencing technical difficulties in applying through www.grants.gov because of operational or other issues related to COVID-19, you may request to submit the application by email. Email your request (which must include an explanation of the COVID-19 related issue you are experiencing and the specific reason you are unable to submit the application through www.grants.gov) and the complete application to Jerry Minor-Gordon (minor-gordon.jerry@epa.gov) by November 22, 2022, at 11:59 PM ET. Requests will be reviewed on a case-by-case basis. There is no guarantee EPA will accept the submission outside of www.grants.gov. **Requests received after November 22, 2022, at 11:59 PM ET will not be reviewed or considered.**

If you submit more than one application for the same, identical project (either in error or to replace a previously submitted application), EPA will only review the most recently received application for that project unless you notify Jerry Minor-Gordon (minor-gordon.jerry@epa.gov) and specify which application you want EPA to review.

IV.C. Content and Form of Application Submission

The application must stand on its own merits based on the responses to the relevant ranking criteria in Section IV.E.

All application materials must be in English. The Narrative Information Sheet and the Narrative must be typed, single-spaced, on letter-sized (8.5 x 11-inch) paper, and should **use standard Times New Roman, Arial, or Calibri fonts with a 12-point font size**. The Application Submission Checklist below outlines the documents to include in the application. Extraneous materials, including photos, graphics, and attachments not listed, will not be considered.

APPLICATION SUBMISSION CHECKLIST

• Federal application materials required by www.grants.gov (see Appendix 1)
• Narrative Information Sheet (3-page limit, single-spaced) (see Section IV.D.)
• The Narrative, which includes responses to the ranking criteria (10-page limit, single-spaced) (see Section IV.E.)

- Narrative Attachment:
  - Documentation indicating committed leveraged resources, if applicable (see Section IV.E.1.c.ii. and Section IV.E.1.c.iii.)

- Threshold Criteria Responses (as an attachment(s)):
  - A statement of applicant eligibility if a city, county, state, or tribe (see Section III.B.1.)
  - Documentation of applicant eligibility if other than a city, county, state, or tribe; e.g., resolutions, statutes, or documentation of 501(c)(3) tax-exempt status or qualified community development entity (see Section III.B.1.)
  - Information on previously awarded Cleanup Grants (see Section III.B.2.)
  - Documentation of the available balance on an open Multipurpose Grant; or an affirmative statement that the applicant does not have an open Multipurpose Grant (see Section III.B.3.)
  - Site ownership information (see Section III.B.4.)
  - Basic site information (see Section III.B.5.)
  - Status of history of contamination at the site (see Section III.B.6.)
  - An affirmative statement that the site meets the definition of a brownfield site (see Section III.B.7.)
  - Description of the environmental assessment conducted at the site (see Section III.B.8.)
  - Information on whether the site(s) is required to be enrolled in the state or tribal voluntary response program environmental site assessment performed to date is sufficient (See Section III.B.9.)
  - Information on enforcement or other actions or an affirmation that there are no enforcement or other actions (see Section III.B.10.)
  - Property-specific determination information or an affirmative statement that a Property-specific determination is not required (see Section III.B.11.)
  - Property ownership eligibility information for hazardous substances sites, if applicable (see Section III.B.12.a.)
  - Property ownership eligibility information for petroleum sites, if applicable (see Section III.B.12.b.)
  - Description of cleanup authority and oversight structure (see Section III.B.13.)
  - Community Notification documents (see Section III.B.14.)
  - Discussion on contractors and named subrecipients; or an affirmative statement that a contractor/subrecipient has not been procured/named (see Section III.B.15.)

IV.D. Narrative Information Sheet

The Narrative Information Sheet must address the information below and shall not exceed three, single-spaced pages. Do not include a summary or overview of your narrative/project. Any pages submitted over the page limit will not be considered. EPA does not consider information in the Narrative Information Sheet to be responses to the ranking criteria. Each Narrative Information Sheet must be on the applicant's official letterhead.

1. Applicant Identification Provide the name and full address of the entity applying for funds. This is the agency or organization that will receive the grant and be accountable to EPA for the proper expenditure of funds.

2. Funding Requested
   a. Grant Type Indicate "Single Site Cleanup" or "Multiple Site Cleanup."

   b. Federal Funds Requested
      $_____ (Include the amount being requested from EPA.)

3. Location Provide the a) city, b) county, and c) state or reservation, tribally owned lands, tribal fee lands, etc., of the brownfields property(ies).

4. Property Information Provide the property name and complete site address, including zip code. (If you are requesting funding for multiple sites, include the property information for each site.)

5. Contacts
   a. Project Director Provide the name, phone number, email address, and mailing address of the Project Director assigned to this proposed project. This person should be the main point of contact for the project and should be the person responsible for the project's day-to-day operations. The Project Director may be contacted if other information is needed.

   b. Chief Executive/Highest Ranking Elected Official Provide the name, phone number, email address, and mailing address of the applicant's Chief Executive or highest ranking elected official. For example, if your organization is a municipal form of government, provide this information for the Mayor or County Commissioner. Otherwise, provide this information for your organization's Executive Director or President. These individuals may be contacted if other information is needed.

6. Population
   - If you are a city/town, provide the population of your jurisdiction.

   - If you are a county/parish/borough, state, or regional organization that covers a geographic area with more than one city/town, provide the population of the city(ies)/town(s) in which each proposed site is located.

   - If you are a nonprofit organization exempt from taxation under section 501(c)(3) or qualified community development entity, provide the population of the city(ies)/town(s) in which each proposed site is located.

   - If you are a tribe, provide the number of tribal/non-tribal members affected.

   Population data can be found at www.census.gov.

7. Other Factors Applicants claiming one or more of the other factors below must provide a summary in the Narrative on the applicable other factor(s). Please identify which of the below items apply to your community/proposed project by noting the corresponding Narrative page number. **If none of the Other Factors apply to your community/proposed project, please provide a statement to that effect.**

Sample Format for Providing Information on the Other Factors	Page #
Community population is 10,000 or less.	
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The proposed brownfield site(s) is impacted by mine-scarred land.	
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the remediation/reuse; secured resource is identified in the Narrative and substantiated in the attached documentation.	
The proposed site(s) is adjacent to a body of water (i.e., the border of the proposed site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	
The proposed site(s) is in a federally designated flood plain.	
The reuse of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy.	
The reuse of the proposed cleanup site(s) will incorporate energy efficiency measures.	
The reuse strategy or project reuse of the proposed site(s) considers climate adaptation and/or mitigation measures.	
The target area(s) is located within a community in which a coal-fired power plant has recently closed (2012 or later) or is closing.	

8. Releasing Copies of Applications
   In concert with EPA's commitment to conducting business in an open and transparent manner, copies of applications submitted under this solicitation may be made publicly available on EPA's Office of Brownfields and Land Revitalization website or other public website for a period of time after the selected applications are announced. EPA recommends that applications not include trade secrets or commercial or financial information that is confidential or privileged, or sensitive information, if disclosed, that would invade another individual's personal privacy (e.g., an individual's salary, personal email addresses, etc.). However, if such information is included, it will be treated in accordance with 40 CFR § 2.203. (Review Section IV.G. for more information.)

   Clearly indicate which portion(s) of the application you are claiming as confidential, privileged, or sensitive information, or state 'n/a' or 'not applicable' if the application does not have confidential, privileged, or sensitive information. As provided at 40 CFR § 2.203(b) if no claim of confidential treatment accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to the submitter.

IV.E. Narrative/Ranking Criteria

The Narrative (including citations) shall not exceed 10 single-spaced pages. Any pages submitted over the page limit will not be evaluated.

The Narrative must include clear, concise, and factual responses to all ranking criteria and sub-criteria below. The Narrative must provide sufficient detail to allow for an evaluation of the merits of the application. **A response to a criterion/sub-criterion that is included in a different section of the Narrative may not be scored as favorably**. If a criterion does not apply, clearly state this. **Any criterion left unanswered may result in zero points given for that criterion.** Responses to the criteria should include the criteria number and title but need not restate the entire text of the criteria.

If the application is selected for funding, the information in your Narrative will be incorporated into the workplan and will become the scope of your grant, subject to any adjustments to clarify issues with carrying out the project's scope of work made during the post-selection negotiation process. The workplan is a legally binding document. Therefore, applicants should carefully consider and accurately respond to the criteria below, including the discussion on the use of grant funds and leveraged resources committed to the project that will materialize during the period of performance. EPA may not permit material changes to the workplan.

Section IV.E. below includes sample format tables that applicants may use to present all or a portion of their response. Applicants who do not use the sample format tables will not be penalized when EPA evaluates their applications.

If you are applying for multiple sites, your ranking criteria responses must include information on each site.

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

a. Target Area and Brownfields

i. Overview of Brownfield Challenges and Description of Target Area
Discuss the brownfield challenges and their impact on the city(ies), town(s), or geographic area(s) targeted by this application. Provide a brief overview of how this grant will potentially help address those challenges and impacts.

Within the city(ies), town(s), or geographic area(s) discussed above, identify and describe the specific target area(s) where you plan to perform grant activities, such as a neighborhood, district, corridor, or census tract. *(Depending on the scope and design of your project, one or more target areas may be presented.)*

ii. Description of the Proposed Brownfield Site(s)
Describe the property(ies) targeted for cleanup, characterizing known contamination and site conditions (including structures), and relevant past and current land uses.

b. Revitalization of the Target Area

i. Reuse Strategy and Alignment with Revitalization Plans
Describe the reuse strategy, or projected reuse, for the proposed site(s) to be remediated in the target area(s). Discuss how the reuse strategy/projected reuse aligns

with and advances the local government's land use and revitalization plans or related community priorities; and if applicable, how the strategy/projected reuse takes into account that the site is in a federally designated flood plain. Describe how the public (including underserved communities) and project partners were involved in the development of the reuse strategy/projected reuse.

ii. Outcomes and Benefits of Reuse Strategy
Describe the potential of the proposed project or revitalization plans to stimulate economic development in the target area(s) upon completion of the cleanup of the proposed site(s), and/or how the grant will facilitate the creation of, preservation of, or addition to a park, a greenway, undeveloped property, recreational property, or other property used for nonprofit purposes in the target area(s).

If applicable, describe how the reuse of the proposed site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or will incorporate energy efficiency measures.

If the proposed project or revitalization plans may potentially cause the displacement of residents and/or businesses, describe the strategies and/or policies that will be implemented to minimize displacement.

c. Strategy for Leveraging Resources

Consistent with CERCLA § 104(k)(6)(C)(I), describe your access to monetary funding from other resources and how the grant will stimulate the availability of additional funds for environmental site assessment, remediation, and subsequent reuse for the proposed site(s) by addressing the following the criteria below.

i. Resources Needed for Site Characterization
Identify additional assessment funding resources that will be sought in the event that the proposed site(s) needs to be further characterized for the remediation to continue.

ii. Resources Needed for Site Remediation
Identify funding resources that have been secured, have been sought, or will be sought, to contribute to the completion of the remediation. Attach documentation that substantiates secured commitments of leveraged funding for remediation of the proposed site(s). *(Do not duplicate sources discussed in 3.b. Description of Tasks/Activities and Outputs.)*

Alternatively, discuss if the EPA funding requested in this application will be enough to complete the remediation of the proposed brownfield site(s).

iii. Resources Needed for Site Reuse
Identify funding resources that have been secured, have been sought, or will be sought, to contribute to the completion of the reuse (e.g., demolition activities,

redevelopment activities, etc.) for the proposed brownfield site(s). *(Do not duplicate sources discussed in 3.b. Description of Tasks/Activities and Outputs.)*

Attach documentation that substantiates secured commitments of leveraged funding for the reuse of the proposed site(s).

Sample Format for Resources Needed for Site Characterization, Remediation, and Reuse

Name of Resource	Is the Resource for (1.c.i.) Assessment, (1.c.ii.) Remediation, or (1.c.iii.) Reuse Activities?	Is the Resource Secured or Unsecured?	Additional Details or Information About the Resource
Add rows as needed			

iv. Use of Existing Infrastructure
Describe how work performed under this grant will facilitate the use of existing infrastructure at the proposed site(s) and/or within the target area(s).

If additional infrastructure needs or upgrades are key to the revitalization plans for the proposed site(s), describe the infrastructure needs/upgrades and funding resources that will be sought to implement that work.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

a. Community Need

i. The Community's Need for Funding
Describe how this grant will meet the needs of the community(ies) (i.e., the city(ies), town(s), or geographic area(s) targeted in this application) that has an inability to draw on other initial sources of funding to carry out environmental remediation and subsequent reuse in the target area(s) because of the small population and/or low-income of the community.

ii. Threats to Sensitive Populations
Applicants are encouraged to use EPA's EJScreen Tool[31] (or other EJ-focused geospatial mapping tools) to gain a better understanding of the communities that may be adversely and disproportionately affected by environmental or human health harms and risks and that may potentially be underserved communities.[32] Applicants can

[31] EPA's EJScreen Tool is available at www.epa.gov/ejscreen.
[32] When EPA uses the term "underserved communities" it has the meaning defined in Executive Order 13985: *Advancing Racial Equity And Support For Underserved Communities Through The Federal Government*, which defines "underserved communities" as "populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life….". As described in the Executive Order, "underserved communities" include communities such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+)

include data from EJScreen in the Narrative to help characterize and describe the target area(s) and its community(ies). Data from other sources (e.g., studies, census, and third-party reports) can also be included to give a more complete picture of the impacted communities and populations. For more information on using EJScreen data in your Brownfields Grant application, please refer to the FY23 FAQs and a recorded demonstration available on EPA's Brownfields Program website.[33]

Applicants may consider using the beta version of the Climate and Economic Justice Screening Tool (CEJST) [34] as an optional tool to help identify disadvantaged communities, as defined by the White House Council on Environmental Quality, for purposes of Justice40. For more information on using CEJST data in your Brownfields Grant application, please refer to the FY23 FAQs.

(1) Health or Welfare of Sensitive Populations
Identify children, pregnant women, minority or low-income communities, or other sensitive populations in the target area(s). Describe the health or welfare issues of such groups and discuss how this grant and reuse strategy/projected site reuse(s) will address those issues and/or will facilitate the identification and reduction of threats to the health or welfare of such groups.

(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions
Describe how this grant and reuse strategy/projected site reuse(s) will address, or facilitate the identification and reduction of, threats to populations in the target area(s) that suffer from a greater-than-normal incidence of diseases or conditions (including cancer, asthma, or birth defects) that may be associated with exposure to hazardous substances, pollutants, contaminants, or petroleum.

(3) Promoting Environmental Justice
Describe the environmental justice issues and how they affect underserved populations in the target area(s). Further, discuss how this grant and reuse strategy/projected site reuse(s) will promote environmental justice among the underserved populations in the target area(s). *(Environmental justice is defined in Section I.E.)*

Please refer to the FY23 FAQs for more information on welfare, sensitive populations, and environmental justice and for examples of variables that define an underserved community.

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persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. It also includes "communities environmentally overburdened," that is, a community adversely and disproportionately affected by environmental and human health harms or risks, and "disadvantaged, communities" as referenced in Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, and defined in Office of Management and Budget's Memo M-21-28: Interim Implementation Guidance for the Justice40 Initiative.

[33] A recorded demonstration on how to use EJScreen is available at www.epa.gov/brownfields/ejscreen-demonstration-brownfield-grant-applications.

[34] CEJST is available at https://screeningtool.geoplatform.gov/en/.

b. Community Engagement

To conserve space, you may present information for 2.b.i. – 2.b.ii. in the same response and/or use the suggested table format below.

i. Project Involvement
Identify the local organizations/entities/groups that will be involved in, and will provide assistance/information to you to assist in, the performance of the project.

Project involvement may be provided by a broad and diverse group of entities including, but not limited to, community-based organizations (e.g., neighborhood groups, citizen groups, business organizations, etc.), as well as community liaisons, property owners, lenders, developers, and the general public.

ii. Project Roles
Describe the role each identified local organization/entity/group will have in the project including how it will be involved in making decisions with respect to the cleanup and future reuse of the proposed site(s).

Sample Format for List of Organizations/Entities/Groups & Roles

Name of organization/entity/group	Point of contact (name, email & phone)	Specific involvement in the project or assistance provided
Add rows as needed		

iii. Incorporating Community Input
Discuss your plan to communicate project progress to the local community, the local organizations/entities/groups that will be involved in the project, and residents/groups impacted by the site(s), including the frequency and by what method(s) you will use (including methods that offer an alternative to in-person community engagement in the event of social distancing or other restrictions as a result of COVID-19) and how input will be solicited, considered, and responded to.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

Local government applicants may use up to 10% of the total grant award for health monitoring activities. The health monitoring activities must be associated with brownfield sites at which at least a Phase II environmental site assessment is conducted and is contaminated with hazardous substances. Partnership with the local health agency is required. Please review the Health Monitoring Fact Sheet for more information.

Cooperative agreements with successful applicants under this solicitation will be subject to the administrative cost limitation described at CERCLA § 104(k)(5)(E). Successful applicants may only use up to 5% of the total amount of EPA funds for their own administrative costs (direct costs for grant administration and indirect costs). For example, if EPA awards $500,000 to an applicant, the 5% cap for administrative costs equals $25,000.

Costs must be classified as direct or indirect consistently and applicants may not classify the same cost in both categories. The limitation on administrative costs does not apply to otherwise allowable programmatic costs (including indirect costs) charged by procurement contractors. Note that EPA considers costs for performance and financial reporting to be allowable programmatic costs that are not subject to the 5% limitation.
For applications that include indirect costs in the budget and are selected for funding, an EPA Grants Specialist or Grants Management Officer may request a copy of the indirect cost rate agreement that was negotiated with the cognizant agency before the cooperative agreement is awarded.

Do not include activities that are ineligible uses of funds under EPA's Cleanup Grant (e.g., land acquisition; building demolition that is not necessary to remediate contamination at the site; building construction for future redevelopment).

Please refer to the FY23 FAQs for additional examples of eligible and ineligible uses of funds (including administrative costs). For questions not covered by the FY23 FAQs, contact your Regional Brownfields Contact listed in Section VII.

a. Proposed Cleanup Plan

Outline the cleanup plan(s) proposed for the site(s). Briefly describe the contaminated media to be addressed, cleanup method(s), and disposal requirements. *(This description can use the same language as submitted in the draft ABCA attachment(s), but the description must be included in the applicant's Narrative.)*

b. Description of Tasks/Activities and Outputs

Provide a list and description of the tasks/activities required to implement the proposed project. You may respond to this criterion using the sample format for each task/activity.

Sample Format for Tasks/Activities

Task/Activity:
i. Project Implementation ▪ EPA-funded tasks/activities: ▪ Non-EPA grant resources needed to carry out tasks/activities, if applicable:
ii. Anticipated Project Schedule:
iii. Task/Activity Lead:
iv. Outputs:

i. Project Implementation
- Discuss the EPA-funded tasks/activities that will take place to address the proposed site(s).

  If you plan to issue a subaward(s), indicate what tasks/activities or services will be provided.

Examples include procuring a Qualified Environmental Professional, submitting and obtaining approval of a Quality Assurance Project Plan, enrollment of the site in the State's Voluntary Cleanup Program, certifying cleanup is complete, coordination with the local health agency on health monitoring activities, etc.

- If applicable, identify tasks/activities that are necessary to carry out the grant that will be contributed by sources other than the EPA grant, such as in-kind resources or funding contributed by your organization. (For example, the applicant does not charge the EPA grant for salary dollars and therefore contributes its own resources to carry out programmatic oversight activities or grant administration.) *(Do not duplicate sources listed in 1.c. Strategy for Leveraging Resources.)*

ii. Anticipated Project Schedule
Discuss the anticipated schedule and timing for the EPA-funded activities outlined above *in 3.b.i. Project Implementation* during the 4-year period of performance.

iii. Task/Activity Lead
For each task/activity, identify the lead entity(ies) overseeing the various activities (i.e., the applicant, qualified environmental professional, or other identified entity). If an entity(ies) other than the applicant is the lead, explain why the lead entity(ies) (and not the applicant) is appropriate to oversee the activity(ies). *(Note, the local health agency must be involved in health monitoring activities.)*

iv. Outputs
Identify, and quantify as appropriate, the anticipated outputs/deliverables for each task/activity.

Outputs may include, but are not limited to, cleanup plans, community involvement plans, final Analysis of Brownfield Cleanup Alternatives (ABCA) documents, administrative records, and cleanup completion report or letter. *(Refer to Section I.D. for an explanation of outputs.)*

c. Cost Estimates

Provide information on how cost estimates for each task were developed per budget category, including direct administrative costs (if applicable) and indirect administrative costs (if applicable). Present costs per unit where appropriate. *(Note, the total amount of direct and indirect administrative costs cannot exceed 5% of the total EPA-requested funds.)*

For information on best practices for preparing budgets for applications for EPA grants, refer to the Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance.[35]

[35] The *Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance* is available at www.epa.gov/grants/rain-2019-g02.

You may use the sample table format below to present how you plan to allocate grant funds for tasks/activities described in Section IV.E.3.b. by budget category. Replace the task number heading in the sample table with the actual title of the task.

Only include costs to be covered by EPA grant funds in this table. Leveraged resources should not be included in the budget table.

Do not distinguish between hazardous substances and petroleum funding requests.

If you are seeking funding to remediate multiple sites, provide either a separate budget table for each site or separate line items within one budget table, which distinguishes each site.

Sample Format for Budget (do not change Budget Categories)

Budget Categories		**Project Tasks ($)**				
		(Task 1)	(Task 2)	(Task 3)	(Task 4)	**Total**
Direct Costs	Personnel					
	Fringe Benefits					
	Travel[1]					
	Equipment[2]					
	Supplies					
	Contractual					
	Other (include subawards) (specify type) _____					
Total Direct Costs[3]						
Indirect Costs[3]						
Total Budget (Total Direct Costs + Indirect Costs)						

[1] Travel to brownfields-related training conferences is an acceptable use of these grant funds.
[2] EPA defines equipment as items that cost $5,000 or more with a useful life of more than one year unless the applicant has a lower threshold for equipment costs. Items costing less than $5,000 (e.g., laptop computers) are considered supplies. Generally, equipment is not required for Brownfield Grants.
[3] Administrative costs (direct and/or indirect) for the Cleanup Grant applicant itself cannot exceed 5% of the total EPA-requested funds.

Examples of costs per unit may include:

Task 1, Project Oversight

- *Personnel Costs*: 222 hours of city staff to provide project oversight, $30/hr salary = $6,660

Task 2, Tank Removal

- *Personnel Costs*: 20 hours at average rate of $50/hr = $1,000
- *Contractual Costs*: 5 tank pulls at cost of $13,000 per tank pull = $65,000

d. Measuring Environmental Results

Discuss your plan and mechanism to track, measure, and evaluate progress in achieving expected project outputs, overall project results, and eventual project outcomes. *(Definitions of outputs and outcomes are provided in Section I.D.)*

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

Provide responses for the organization that is applying for funding.

a. Programmatic Capability

To conserve space, you may present information for 4.a.i. – 4.a.ii. in the same response.

i. Organizational Structure
Describe the organizational structure you will utilize to ensure the timely and successful expenditure of funds and completion of all technical, administrative, and financial requirements of the project and grant.

ii. Description of Key Staff
Provide a brief discussion of the key staff that will work together to successfully administer the grant, including their roles, expertise, qualifications, and experience.

iii. Acquiring Additional Resources
Describe the system(s) you have in place to appropriately acquire any additional expertise and resources (e.g., contractors or subrecipients) required to successfully complete the project. *(Refer to Section IV of EPA's Solicitation Clauses regarding the difference between contractors and subrecipients.)*

b. Past Performance and Accomplishments

If you have ever received an EPA Brownfields Multipurpose Grant, Assessment Grant, Revolving Loan Fund Grant, Cleanup Grant, and/or 128(a) Grant please respond to **item i.** below. (Do not include information on Targeted Brownfields Assessments, Area-Wide Planning Grants, Environmental Workforce Development & Job Training Grants, and subawards from another Brownfields Grant recipient.)

If you have never received an EPA Brownfields MARC or 128(a) Grant, but have received other federal or non-federal assistance agreements (such as a grant or cooperative agreement including only receiving an Area-Wide Planning Grant or Environmental Workforce Development & Job Training Grant), please respond to item ii. below.

If you have never received any type of federal or non-federal assistance agreement or if you have recently received an assistance agreement (including a Brownfields Grant), but

have not had an opportunity to demonstrate compliance with the award requirements, please indicate this in response to **item iii.** below.

i. Currently Has or Previously Received an EPA Brownfields Grant
Identify and provide information regarding each of your current and/or most recent EPA Brownfields Grants. Demonstrate how you successfully managed the grant(s), and successfully performed all phases of work under each grant by providing information on the items listed below.

(1) Accomplishments
Describe the accomplishments (including specific outputs and outcomes) achieved under the current/ most recent grant(s) (no more than three), including at a minimum, the number of sites assessed and/or cleaned up. Discuss whether these outputs and outcomes were accurately reflected in the Assessment, Cleanup and Redevelopment Exchange System (ACRES) at the time of this application submission; and if not, please explain why.

(2) Compliance with Grant Requirements
Discuss your compliance with the workplan, schedule, and terms and conditions under the current/most recent grant(s) (no more than three), and discuss your history of timely and acceptable quarterly performance and grant deliverables, as well as ongoing ACRES reporting. Include whether you have made and have reported on, or are making and reporting on, progress towards achieving the expected results of the grant in a timely manner. If not, discuss what corrective measures you took, or are taking, and how the corrective measures were effective, documented, and communicated.

For all open EPA Brownfields Grants, indicate the grant period (start and end date), if there are funds remaining, and the plan to expend the funds by the end of the *Period of performance* as defined in 2 CFR § 200.1.

For all closed EPA Brownfields Grants, indicate if there were funds remaining when the grant closed, the amount of remaining funds, and a brief explanation of why the funds were not expended.

– OR –

ii. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements
Identify and describe each of your current and/or most recent federally and non-federally funded assistance agreements (no more than three) *that are most similar in s scope and relevance to the proposed project*. Demonstrate how you successfully managed the agreement(s), and successfully performed all phases of work under each agreement by providing the following information.

(1) Purpose and Accomplishments
Describe the awarding agency/organization, amount of funding awarded, and purpose of the current/most recent assistance agreement(s) you have received.

Discuss the project accomplishments (including specific outputs and outcomes and measures of success) achieved under the current/most recent assistance agreement(s).

(2) Compliance with Grant Requirements
Describe your compliance with the workplan, schedule, and terms and conditions under the current/most recent assistance agreement(s), and discuss your history of timely and acceptable reporting, as required by the awarding agency/organization.

Include whether you have made and have reported on, or are making and reporting on, progress towards achieving the expected results of the agreement in a timely manner. If not, discuss what corrective measures you took, or are taking, and how the corrective measures were effective, documented, and communicated.

– OR –

iii. Never Received Any Type of Federal or Non-Federal Assistance Agreements
Affirm that your organization never received any type of federal or non-federal assistance agreement (grant or cooperative agreement). Or, discuss how your organization has recently received an assistance agreement, but has not had an opportunity to demonstrate compliance with the award requirements. *(Applicants that indicate that they do not have a history of performing assistance agreements will receive a "neutral" 8-point score for this factor. However, failure to indicate anything in response to this sub-criterion may result in zero points.)*

IV.F. Leveraging

Leveraging is generally when an applicant proposes to provide its own additional funds/resources or those from third-party sources (including another federal grant) to support or complement the project they are awarded under the competition which are above and beyond the EPA grant funds awarded. Leveraging resources may materialize during the grant *Period of performance* or after the Brownfields Grant has ended. Any leveraged funds/resources and their source must be identified in the Narrative.

- **Leveraging that will materialize during the grant:** An example of leveraging that typically materializes during a Brownfields Grant *Period of performance* includes an applicant's in-kind resources that are necessary to carry out the grant.[36] (Applicants may describe other leveraging needed to support or complement the project.) This form of leveraging should not be included in the budget and the costs need not be eligible and allowable project costs under the EPA assistance agreement.

[36] If an applicant proposes to contribute resources to carry out the grant, EPA will evaluate responses to the *3.i. Project Implementation criterion*.

If applicants propose to provide this form of leveraging, EPA expects them to make the effort to secure the leveraged resources described in their Narrative. If the proposed leveraging does not materialize during grant performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by 2 CFR Parts 200 or 1500. The grant workplan should include a statement indicating that the applicant is expected to produce the proposed leveraging consistent with the terms of the announcement and the applicant's Narrative.

Another example of leveraging that typically materializes during the Brownfields Grant Period of performance is a cost sharing/matching. **Consistent with the direction of the Bipartisan Infrastructure Law, cost sharing/matching funds are not required under this competition.** Additionally, a voluntary cost share, beyond the information provided in response to the *Project Implementation* criterion, will not be considered or evaluated under this solicitation. *Voluntary committed cost sharing* as defined at 2 CFR § 200.1 is when an applicant voluntarily proposes a legally binding commitment to cover costs or provide contributions to support the project when a cost share is not required. Applicants should not propose a voluntary cost share under this solicitation.

- **Leveraging that will materialize after the Brownfields Grant has ended:** Examples of leveraging that typically materialize after the Brownfields Grant has ended include resources for remediation, infrastructure updates, and reuse.[37] This form of leveraging should not be included in the budget and the costs need not be eligible and allowable project costs under the EPA assistance agreement.

IV.G. Confidential Business Information

As discussed in Section IV.D., *Narrative Information Sheet*, EPA recommends that you do not include confidential business information (CBI) in your application. However, if CBI is included, it will be treated in accordance with 40 CFR 2.203. Applicants must clearly indicate which portion(s) of their application they are claiming as CBI. EPA will evaluate such claims in accordance with 40 CFR Part 2. If no claim of confidentiality is made, EPA is not required to make the inquiry to the applicant otherwise required by 40 CFR 2.204(c)(2) prior to disclosure. The agency protects competitive applications from disclosure under applicable provisions of the Freedom of Information Act until the completion of the competitive selection process.

SECTION V. – NARRATIVE REVIEW INFORMATION

Note: Additional provisions that apply to this section can be found at EPA Solicitation Clauses.

V.A. Evaluation Criteria

If your application passes the threshold eligibility review (see Section III.B.), the information you provide in response to Section IV.E. (Narrative/Ranking Criteria) will be evaluated per the criteria below and scored by a national evaluation panel. Your application may be assigned up to 180 points.

[37] EPA will evaluate an applicant's responses to *1.c. Strategy for Leveraging*.

Criteria (Maximum Points per Criterion)

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION
55 Points

Each application will be evaluated on the quality and extent to which it addresses the following:

1.a. Target Area and Brownfields (15 points)

1.a.i. Overview of Brownfield Challenges and Description of Target Area (5 points)
The extent to which the brownfield challenges are clearly discussed and the degree to which the brownfield challenges impact the city(ies), town(s), or geographic area(s) targeted by this application. The extent to which this grant will potentially help address those challenges and impacts. The extent to which the applicant clearly identifies and describes the specific target area(s) within city(ies), town(s), or geographic area(s) where it plans to perform grant activities.

1.a.ii. Description of the Proposed Brownfield Site(s) (10 points)
The extent to which the description of the property(ies) targeted for cleanup provides clear information on the known contamination and site conditions (including structures), and relevant past and current land uses, and the degree of severity of the conditions.

1.b. Revitalization of the Target Area (20 points)

1.b.i. Reuse Strategy and Alignment with Revitalization Plans (10 points)
The extent to which a reuse strategy or projected reuse is clearly described for the proposed site(s) to be remediated in the target area(s), and the extent to which the reuse strategy/projected reuse clearly aligns with and advances the local government's land use and revitalization plans or related community priorities.

When applicable, the extent to which the reuse strategy/projected reuse is an appropriate reuse option for a site in a federally designated flood plain.

The degree to which the public (including underserved communities) and project partners have had meaningful involvement in the development of the reuse strategy/projected reuse(s).

1.b.ii. Outcomes and Benefits of Reuse Strategy (10 points)
Given the type of community being served (e.g., urban, rural, tribal, etc.), the degree to which the proposed project or revitalization plans will substantially stimulate economic development in the target area(s) upon completion of the cleanup of the proposed site(s) and/or the degree to which the grant will facilitate the creation of, preservation of, or addition to a park, a greenway, undeveloped property, recreational property, or other property used for nonprofit purposes in the target area(s). The degree to which these outcomes clearly correlate with the applicant's reuse strategy/projected site reuse(s).

When applicable, the extent to which the reuse of the proposed site(s) will facilitate renewable energy from wind, solar, or geothermal energy, or will incorporate energy efficiency measures.

When the proposed project or revitalization plans may potentially cause the displacement of residents and/or businesses, the extent to which strategies and/or policies will be implemented to minimize the displacement of residents and/or businesses.

1.c. Strategy for Leveraging Resources (20 points)

1.c.i. Resources Needed for Site Characterization (5 points)
The extent to which the applicant has identified assessment funding resources that will be sought in the event that the proposed site(s) needs to be further characterized. Given the size and extent of contamination of the proposed site(s), the degree to which the resource(s) are relevant and potentially sufficient to complete the site characterization for the remediation to continue.

1.c.ii. Resources Needed for Site Remediation (5 points)
The relevancy and degree to which secured funding resources will contribute to the completion of the remediation of the proposed brownfield site(s). The degree to which the attached documentation substantiates secured commitments discussed in the Narrative. *(Note, a response may not earn full points if the applicant duplicates sources that are listed in 3.b. Description of Tasks/Activities and Outputs. Additionally, a response may only earn full points when the applicant has resources that are secured, significant, relevant, and sufficient to complete the remediation.)*

Alternatively, the extent to which the EPA funding discussed in this application is enough to complete the remediation.

1.c.iii. Resources Needed for Site Reuse (5 points)
The relevancy and degree to which secured funding resources will contribute to the completion of the reuse of the proposed brownfield site(s). The degree to which the attached documentation substantiates secured commitments discussed in the Narrative. *(Note, a response may not earn full points if the applicant duplicates sources that are listed in 3.b. Description of Tasks/Activities and Outputs. Additionally, a response may only earn full points when the applicant has resources that are secured, significant, and relevant to the cleanup project.)*

1.c.iv. Use of Existing Infrastructure (5 points)
The extent to which work performed under this grant will facilitate the use of existing infrastructure at the proposed site(s) and/or within the target area(s).

When additional infrastructure needs or upgrades are key to the revitalization plans for the proposed site(s), the extent to which the applicant provides a clear description of the infrastructure needs/upgrades and the extent to which the identified funding resources that will be sought to implement the work are relevant to the project.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT
40 Points

Each application will be evaluated on the quality and extent to which it addresses the following:

2.a. Community Need (25 points)

2.a.i. The Community's Need for Funding (5 points)
The extent to which this grant will meet the needs of the community(ies) (i.e., the city(ies), town(s), or geographic area(s) targeted in this application) that has an inability to draw on other initial sources of funding to carry out environmental assessment or remediation, and subsequent reuse in the target area(s) **because the community has a small population and/or is low-income**. *(Note, if the inability to draw on other initial sources of funding is not because the community has a small population or is low-income, then the response may only earn up to 2 points.)*

2.a.ii. Threats to Sensitive Populations (20 points)

(1) Health or Welfare of Sensitive Populations (5 points)
The degree to which the sensitive populations within the target area(s) are clearly identified, the severity of the health or welfare issues experienced by the sensitive populations in the target area(s), and the extent to which this grant and reuse strategy/projected site reuse(s) will address those issues and/or will facilitate the identification and reduction of threats to the health or welfare of such groups.

(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions (5 points)
The extent to which this grant and reuse strategy/projected site reuse(s) will address, or facilitate the identification and reduction of, threats to populations in the target area(s) that suffer from a greater-than-normal incidence of diseases or conditions (including cancer, asthma, or birth defects) that may be associated with exposure to hazardous substances, pollutants, contaminants, or petroleum. *(Note, if populations in the target area(s) do not suffer from a greater-than-normal incidence of cancer, asthma, or birth defects, then the response may only earn up to 2 points.)*

(3) Promoting Environmental Justice (10 points)
The extent to which the environmental justice issues affecting the underserved populations in the target area(s) are clearly described, and the severity of the environmental justice issues experienced by the underserved populations in the target area(s). The extent to which this grant and reuse strategy/projected site reuse(s) will promote environmental justice among the underserved populations in the target area(s).

2.b. Community Engagement (15 points)
Per the ranking criterion in Section IV.E.2.b., applicants may consolidate information for 2.b.i. – 2.b.ii. into one response. Reviewers must evaluate the response against the sub-criteria outlined below.

2.b.i. Project Involvement (5 points)
The degree to which the applicant involves a diverse group of local organizations/entities/ groups that are relevant to the proposed project.

2.b.ii. Project Roles (5 points)
The degree to which each identified local organization/entity/group will have meaningful involvement in the project and the extent to which partners will be involved in making decisions with respect to the cleanup and future reuse of the proposed site(s).

2.b.iii. Incorporating Community Input (5 points)
The extent to which the plan to communicate project progress to the local community, local organizations/entities/groups that will be involved in the project, and residents/groups impacted by the site(s) will be effective and appropriate, and the extent to which their input will be solicited, considered, and responded to in an intentional way. The extent to which the proposed methods offer an alternative to in-person community engagement in the event of social distancing or other restrictions as a result of COVID-19.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS
55 Points

Each application will be evaluated on the quality and extent to which it addresses the following:

3.a. Proposed Cleanup Plan (10 points)

The degree of the quality and reasonableness of the proposed cleanup plan(s), including the appropriateness of the cleanup methods being considered.

3.b. Description of Tasks/Activities and Outputs (25 points)

3.b.i. Project Implementation (10 points)
The degree to which the EPA-funded tasks/activities that will take place to address the proposed site(s) are eligible, specific, and appropriate to the goals of the proposed project, and the degree to which the response demonstrates a sound plan to address the proposed site(s).

When the project includes a subaward(s), the extent to which the tasks/activities or services to be provided by the subawardees(s) are clearly identified.

(Note, a response that includes ineligible tasks/activities will be evaluated less favorably.)

When applicable, the extent to which the tasks/activities that are necessary to carry out the grant that will be contributed by sources other than the EPA grant (e.g., in-kind resources) will bring the grant to successful completion. *(Note, a response may not earn full points if the applicant duplicates sources that are listed in 1.c. Strategy for Leveraging Resources.)*

3.b.ii. Anticipated Project Schedule (5 points)
The extent to which the anticipated project schedule milestones are achievable and the likelihood that the activities will be completed within the 4-year period of performance.

3.b.iii. Task/Activity Lead (5 points)
The extent to which the lead entity(ies) for each task/activity is clearly identified and the extent to which the lead entity(ies) overseeing each task/activity is appropriate.

When applicable, the degree to which the local health agency is involved in health monitoring activities.

3.b.iv. Outputs (5 points)
The extent to which the anticipated outputs/deliverables for each task/activity are identified and quantified as appropriate, and the degree to which the outputs/deliverables clearly correlate with the proposed project.

3.c. Cost Estimates (15 points)

The degree of clarity on how each cost estimate was developed (including direct and/or indirect administrative costs, when applicable) and the extent to which costs per unit are presented in detail. The extent to which each proposed cost estimate is reasonable and realistic to implement the project and clearly correlates with the proposed tasks/activities. When applicable, the degree to which costs for individual sites are distinguished.

(Notes:

- *Administrative costs that exceed 5% of the total EPA-requested funds will be evaluated less favorably.*
- *A response that includes cost estimates that are not reasonable or realistic to implement the project/grant will be evaluated less favorably. For example, applicants that request more funds than is reasonably justified in the Narrative to complete the proposed project/grant.)*

3.d. Measuring Environmental Results (5 points)

The extent to which the plan and mechanism to track, measure, and evaluate progress in achieving expected project outputs, overall project results, and eventual project outcomes are reasonable, appropriate, and clearly correlate with information previously presented in the Narrative.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE
30 Points

Each application will be evaluated on the quality and extent to which it addresses the following:

4.a. Programmatic Capability (15 points)
Per the ranking criterion in Section IV.E.4.a., applicants may consolidate information for 4.a.i. – 4.a.ii. into one response. Reviewers must evaluate the response against the sub-criteria outlined below.

4.a.i. Organizational Structure (5 points)
The degree to which the organizational structure used will lead to the timely and successful expenditure of funds to complete all technical, administrative, and financial requirements of the project and grant.

4.a.ii. Description of Key Staff (5 points)
The degree to which key staff have expertise, qualifications, and experience that will result in the successful administration of the grant.

4.a.iii. Acquiring Additional Resources (5 points)
The degree to which the applicant's organization has a system(s) in place to appropriately acquire any additional expertise and resources (e.g., contractors or subrecipients) required to successfully complete the project.

4.b. Past Performance and Accomplishments (15 points)
In evaluating an applicant's response to this criterion, in addition to the information provided by the applicant, EPA may consider relevant information from other sources including information from EPA files and/or from other federal or non-federal grantors to verify or supplement information provided by the applicant.

4.b.i. Currently Has or Previously Received an EPA Brownfields Grant (15 points)
The degree to which the applicant demonstrates its ability to successfully manage the grant based on current/past EPA Brownfields Grant(s) (i.e., Multipurpose Grant, Assessment Grant, Revolving Loan Fund Grant, Cleanup Grant, or 128(a) Grant) and the extent to which the applicant successfully performed all phases of work under the grant.

(1) Accomplishments (5 points)
The extent to which meaningful accomplishments (including specific outputs and outcomes) were achieved under the current/most recent grant(s), including at a minimum, the number of sites assessed and/or cleaned up, and the extent to which outputs and outcomes were accurately reflected in ACRES at the time of this application submission.

(2) Compliance with Grant Requirements (10 points)

- The extent of compliance with the workplan, schedule, and terms and conditions under the current/ most recent grant(s), and the extent to which there is a demonstrated history of timely and acceptable quarterly performance and grant deliverables, as well as ongoing ACRES reporting.

  The degree to which progress was made (and reported on), or is being made, towards achieving the expected results of the grant(s) in a timely manner. If expected results were not being reported on, the extent to which the measures taken to correct the situation were reasonable and appropriate or the extent to which there is an adequate explanation for lack of reporting. (5 points)

- The extent to which funds from any open EPA Brownfields Grants (i.e., Multipurpose Grants, Assessment Grants, Revolving Loan Fund Grants, Cleanup Grants, and/or 128(a) Grants) are committed to ongoing eligible grant activities or will support the tasks/activities described in the Narrative. The likelihood that all grant funds under the current grant(s) will be expended by the end of the *Period of performance* as defined in 2 CFR § 200.1.

For all closed EPA Brownfield Grants, the extent to which there is a reasonable explanation of why funds remained when the grant closed, and the degree to which the applicant made every effort to spend the remaining funds within the *Period of performance*. (5 points)

– OR –

4.b.ii. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements (15 points)

The degree to which the applicant demonstrates its ability to successfully manage the grant and perform all phases of work under the grant based on current/ most recent federal or non-federal assistance agreements.

(1) Purpose and Accomplishments (5 points)

The extent to which the current/most recent assistance agreement(s) is similar in terms of scope and relevance to the proposed project.

The extent to which meaningful project accomplishments (including specific outputs and outcomes and measures of success) were achieved under the current/most recent assistance agreement(s).

(2) Compliance with Grant Requirements (10 points)

The extent of compliance with the workplan, schedule, and terms and conditions under the current/ most recent assistance agreement(s), and the extent to which there is a demonstrated history of timely and acceptable reporting, as required by the awarding agency/organization.

The degree to which progress was made (and reported on), or is being made, towards achieving the expected results of the agreement(s) in a timely manner. If expected results were not achieved, the extent to which the measures taken to correct the situation were reasonable and appropriate.

– OR –

4.b.iii. Never Received Any Type of Federal or Non-Federal Assistance Agreements (8 points)

The extent to which it is clearly affirmed that the organization never received any type of federal or non-federal assistance agreement, or has recently received an assistance agreement, but has not had an opportunity to demonstrate compliance with the award requirements. *(These applicants will receive a "neutral" score of 8 points. Applicants that fail to indicate anything in response to this sub-criterion may result in zero points.)*

V.B. Other Factors and Considerations

In making the final selections from among the most highly ranked applicants, EPA's Headquarters Selection Official may consider the factors below as appropriate. Applicants should provide a summary in the Narrative on the applicable other factors and note the corresponding page number in the Narrative Information Sheet. Other factors include:

- whether the community population is 10,000 or less;

- whether the applicant is a federally recognized Indian tribe or United States territory or whether the project is assisting a tribe or territory;
- whether the proposed site(s) is impacted by mine-scarred land;
- whether a secured firm leveraging commitment ties directly to the project and will facilitate completion of the remediation/reuse; and whether a secured resource is identified in the Narrative and substantiated in the attached documentation;
- whether the proposed site(s) is adjacent to a body of water;
- whether the proposed site(s) is in a federally designated flood plain; and
- whether reuse of the proposed site(s) will facilitate renewable energy from wind, solar, or geothermal energy;
- whether reuse of the proposed site(s) will incorporate energy efficiency measures;
- whether the applicant has considered climate adaptation and/or mitigation measures as part of the reuse strategy or projected reuse of the proposed site(s); and
- whether a target area(s) is located within a community in which a coal-fired power plant has recently closed (2012 or later) or is closing.

Additionally, EPA's Headquarters Selection Official may take the following considerations into account when making final selections:

- distribution of funds between urban and non-urban areas;
- whether the proposed site(s) is located within, or includes, a county experiencing "persistent poverty" where 20% or more of its population has lived in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates;
- the distribution of funds among EPA's ten Regions;
- whether the applicant has not previously been awarded a Brownfields Cleanup Grant;
- whether a target area(s) is located within, or includes, a census tract in which 20% or more of the population lives below the national poverty level as measured by the 2019 American Community Survey (ACS) 5-year estimates from the United States Census Bureau.

V.C. Review and Selection Process

Timely submitted applications will initially be reviewed by the EPA Regional Office which covers the location of the project to determine compliance with the applicable threshold eligibility criteria for Cleanup Grants (Section III.B.). All applications that pass the threshold criteria review will be evaluated by national evaluation panels. The national evaluation panels will be comprised of EPA staff and potentially other federal agency representatives chosen for their expertise in the range of activities associated with the Brownfield Cleanup Grants. Eligible applications will be evaluated based on the criteria described in Section V.A. and ranking lists of applicants will be developed.

For selection purposes, EPA's Office of Brownfields and Land Revitalization (OBLR) will prepare three ranked lists of applications.

- One list will be comprised of applicants requesting up to $500,000. EPA expects to select approximately 40 applications in this category.

- A second list will be comprised of applicants requesting between $500,001 and $1,000,000. EPA expects to select approximately 25 applications in this category.
- A third list will be comprised of applicants requesting between $1,000,001 and $2,000,000. EPA expects to select approximately 8 applications in this category.

The OBLR will provide the three lists to the Headquarters Selection Official, who is responsible for further consideration of the applications and final selection of grant recipients. Applications will be selected for award based on their evaluated point scores, the availability of funds, and, as appropriate, the other factors and considerations described in Section V.B.

SECTION VI. – AWARD ADMINISTRATION INFORMATION

Note: Additional provisions that apply to this section can be found at EPA Solicitation Clauses.

VI.A. Award Notices

Applicants who fail the threshold eligibility requirements will be notified within 15 calendar days of EPA's determination of ineligibility. EPA will notify applicants who are not selected for award based on the evaluation criteria and other considerations within 15 calendar days of EPA's final decision on selections for this competition.

EPA anticipates notification to successful applicants will be made via email by late Spring 2023. The notification will be sent to the Project Director and Chief Executive/Highest Ranking Elected Official listed in the Narrative Information Sheet in Section IV.D. This notification, which informs the applicant that its application is selected and is being recommended for award, is not an authorization to begin work. The official notification of an award will be made by the Regional Award Official (EPA Grants Officer) for regional awards. **Applicants are cautioned that only a grants officer is authorized to bind the Government to the obligation of funds; selection does not guarantee an award will be made.** For example, statutory authorization, funding, or other issues discovered during the award process may affect the ability of EPA to make an award to an applicant. The award notice, signed by an EPA grants officer, is the authorizing document and will be provided through email or postal mail. The successful applicant may need to prepare and submit additional documents and forms (e.g., a workplan), which must be approved by EPA before the grant can officially be awarded. The time between notification of selection and award of a grant can take up to 90 days or longer.

VI.B. Administrative and National Policy Requirements

Funding will be awarded as a cooperative agreement. The applicants who are selected for award will work with an EPA Project Officer to finalize the required federal application package and to negotiate the cooperative agreement workplan. It is EPA's expectation that the selected applicants will complete the award process within six months of the announcement.

Approved cooperative agreements will include terms and conditions (including any applicable Davis Bacon requirements) that will be binding on the recipient. Terms and conditions specify what recipients must do to ensure that grant-related and Brownfields Program-related

requirements are met. Applicants also will be required to submit progress reports in accordance with grant regulations found in 2 CFR § 200.329.

An applicant that receives an award under this announcement is expected to manage assistance agreement funds efficiently and effectively, and make sufficient progress towards completing the project activities described in the workplan in a timely manner. The assistance agreement will include terms and conditions implementing this requirement.

VI.C. Reporting Requirements

During the life of the cooperative agreement, recipients are required to submit progress reports to the EPA Project Officer within 30 days after each reporting period. The reporting period (i.e., quarterly, annually) is identified in the terms and conditions of the cooperative agreement. These reports cover work status, work progress, difficulties encountered, an accounting of financial expenditures, preliminary data results, anticipated activities, and any changes in key personnel involved with the project. Site-specific accomplishments are reported on Property Profile Forms and can be submitted electronically to EPA's ACRES reporting system. Information provided in the quarterly reports and submitted in ACRES helps EPA monitor the community's progress with implementing their project and also directly supports the continuation of the Brownfields Program by highlighting measurable site-specific accomplishments to the public and Congress. At the end of the cooperative agreement, a final project report also is required. The final report will summarize accomplishments, expenditures, outcomes, outputs, lessons learned, and any other resources leveraged during the project and how they were used.

VI.D. Brownfield Programmatic Requirements

Brownfield Grant recipients must comply with all applicable federal and state laws to ensure that the assessment and cleanup protect human health and the environment. Brownfield Grant recipients also must comply with the program's technical requirements, which may include, but are not limited to, requirements for Quality Assurance requirements, historic properties or threatened and endangered species, environmental cleanup responsibilities, sufficient progress, collection of post-grant information, and protections of nearby and sensitive populations. For additional information on these requirements, please review the Brownfield Programmatic Requirements.

VI.E. Disputes

Assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 FR (Federal Register) 3629, 3630 (January 26, 2005) which can be found on the Grant Competition Dispute Resolution Procedures website. Copies of these procedures may also be requested by contacting the Regional Brownfields Contact listed in Section VII. of this announcement. Note, the FR notice references regulations at 40 CFR Parts 30 and 31 that have been superseded by regulations in 2 CFR Parts 200 and 1500. Notwithstanding the regulatory changes, the procedures for competition-related disputes remain unchanged from the procedures described at 70 FR 3629, 3630, as indicated in 2 CFR Part 1500, Subpart E.

SECTION VII. – EPA REGIONAL BROWNFIELD PROGRAM CONTACTS

EPA Regional Contact and States		Address
EPA Region 1 Jim Byrne Byrne.James@epa.gov Phone: (617) 918-1389	**CT, ME, MA, NH, RI, VT**	5 Post Office Square Suite 100, Mail code: OSRR7-2 Boston, MA 02109-3912
EPA Region 2 Yocasta DeJesus Dejesus.Yocasta@epa.gov Phone: (212) 637-4340	**NJ, NY, PR, VI**	290 Broadway; 25th Floor New York, NY 10007
EPA Region 3 Gianna Rosati Rosati.Gianna@epa.gov Phone: (215) 814-3406	**DE, DC, MD, PA, VA, WV**	1650 Arch Street Mail Code 3LD50 Philadelphia, PA 19103
EPA Region 4 Sara Janovitz Janovitz.Sara@epa.gov Phone: (404) 562-9870	**AL, FL, GA, KY, MS, NC, SC, TN**	Atlanta Federal Center 61 Forsyth Street, S.W. 10th FL Atlanta, GA 30303-8960
EPA Region 5 Brittney Nadler Nadler.Brittney@epa.gov Phone: (312) 886-5740	**IL, IN, MI, MN, OH, WI**	77 West Jackson Boulevard Mail Code LP-5J Chicago, IL 60604-3507
EPA Region 6 Paul Johnson Johnson.Paul@epa.gov Phone: (214) 665-2246	**AR, LA, NM, OK, TX**	1201 Elm Street Suite 1200 Dallas, TX 75270-2162
EPA Region 7 Susan Klein R7_Brownfields@epa.gov Phone: (913) 551-7786	**IA, KS, MO, NE**	11201 Renner Blvd Lenexa, KS 66219
EPA Region 8 Melisa Devincenzi Devincenzi.Melisa@epa.gov Phone: (303) 312-6377	**CO, MT, ND, SD, UT, WY**	1595 Wynkoop Street (EPR-B) Denver, CO 80202-1129
EPA Region 9 Noemi Emeric-Ford Emeric-Ford.Noemi@epa.gov Phone: (213) 244-1821	**AZ, CA, HI, NV, Pacific Island Territories**	75 Hawthorne Street, SFD6-1 San Francisco, CA 94105
EPA Region 10 Terri Griffith Griffith.Terri@epa.gov Phone: (206) 553-8511	**AK, ID, OR, WA**	1200 Sixth Avenue, Suite 155 Mailstop: ECL-133 Seattle, WA 98101

Appendix 1
Grants.gov Application Submission Instructions

A. Requirements to Submit Through Grants.gov and Limited Exception Procedures

Applicants must apply electronically through www.grants.gov under this funding opportunity based on the www.grants.gov instructions in this announcement. If your organization has no access to the Internet or access is very limited, you may request an exception for the remainder of this calendar year by following the procedures outlined at www.epa.gov/grants/exceptions-grantsgov-submission-requirement. Please note that your request must be received *at least 15 calendar days* before the application due date to allow enough time to negotiate alternative submission methods. Issues with submissions with respect to this opportunity only are addressed in Section *C. Technical Issues with Submission* below.

B. Submission Instructions

B.1. SAM.gov (System for Award Management) Registration Instructions

Organizations applying to this funding opportunity must have an active SAM.gov registration. If you have never done business with the Federal Government, you will need to register your organization at www.sam.gov. If you do not have a SAM.gov account, then you will create an account using Login.gov[38] to complete your SAM.gov registration. SAM.gov registration is FREE. The process for entity registrations includes obtaining a Unique Entity ID (UEI), a 12-character alphanumeric ID assigned to an entity by SAM.gov, and requires assertions, representations and certifications, and other information about your organization. Please review the Entity Registration Checklist for details on this process.

If you have done business with the Federal Government previously, you can check your entity status using your government-issued UEI to determine if your registration is active. SAM.gov requires you to renew your registration every 365 days to keep it active.

Please note that SAM.gov registration is different than obtaining a UEI only. Obtaining a UEI only validates your organization's legal business name and address. Please review the registration Frequently Asked Question for additional details on the difference.

Organizations should ensure that their SAM.gov registration includes a current e-Business (EBiz) point of contact name and email address. The EBiz point of contact is critical for Grants.gov Registration and system functionality.

Contact the Federal Service Desk (866-606-8220) for help with your SAM.gov account, to resolve technical issues or chat with a help desk agent. The Federal Service desk hours of operation are Monday – Friday, 8 a.m. – 8 p.m. ET.

[38] Login.gov a secure sign in service used by the public to sign into Federal Agency systems including SAM.gov and Grants.gov. For help with login.gov accounts you should visit http://login.gov/help.

B.2. Grants.gov Registration Instructions

Once your SAM.gov account is active, you must register in Grants.gov. Grants.gov will electronically receive your organization information, such as e-Business (EBiz) point of contact email address and UEI. Organizations applying to this funding opportunity must have an active Grants.gov registration. Grants.gov registration is FREE. If you have never applied for a federal grant before, please review the Grants.gov Applicant Registration instructions. As part of the Grants.gov registration process, the **EBiz point of contact is the only person that can affiliate and assign applicant roles to members of an organization**. In addition, at least one person must be assigned as an Authorized Organization Representative (AOR). **Only person(s) with the AOR role can submit applications in Grants.gov**. Please review the Intro to Grants.gov-Understanding User Roles and Learning Workspace – User Roles and Workspace Actions for details on this important process.

Please note that this process can take **a month or more** for new registrants. Applicants must ensure that all registration requirements are met in order to apply for this opportunity through Grants.gov and should ensure that all such requirements have been met well in advance of the application submission deadline.

Contact Grants.gov for assistance at 1-800-518-4726 or support@grants.gov to resolve technical issues with Grants.gov. Applicants who are outside the U.S. at the time of submittal and are not able to access the toll-free number may reach a Grants.gov representative by calling 606-545-5035. The Grants.gov Support Center is available 24 hours a day 7 days a week, excluding federal holidays.

B.3. Application Submission Process

To begin the application process under this grant announcement, go to www.grants.gov and enter the Funding Opportunity Number, **EPA-I-OLEM-OBLR-22-09,** into the search box in the top right corner of the page. Click on the "GO" button to view the "View Grant Opportunity" page and click the red "Apply" button at the top of the page.

The electronic submission of your application for this funding opportunity must be made by an official representative of your organization who is registered with www.grants.gov and is authorized to sign applications for Federal financial assistance. If the submit button is grayed out, it may be because you do not have the appropriate role to submit in your organization. Contact your organization's EBiz point of contact or contact Grants.gov for assistance at 1-800-518-4726 or support@grants.gov.

Applicants need to ensure that the Authorized Organization Representative (AOR) who submits the application through www.grants.gov and whose UEI is listed on the application is an AOR for the applicant listed on the application. Additionally, the UEI listed on the application must be registered to the applicant organization's SAM.gov account. If not, the application may be deemed ineligible.

B.4. Application Submission Deadline

Your organization's AOR must successfully submit your complete application package electronically to EPA through www.grants.gov **no later than November 22, 2022, 11:59 p.m. ET**. Please allow for enough time to successfully submit your application and allow for unexpected errors that may require you to resubmit.

After signing and successfully submitting the application package, within 24 to 48 hours the AOR should receive notification emails from www.grants.gov with the following subject lines:

1. **GRANT###### Grants.gov Submission Receipt**
2. **GRANT###### Grants.gov Submission Validation Receipt for Application**

If the AOR did not receive either notification emails listed above, contact the www.grants.gov Support Center at 1-800-518-4726. The Support Center is open 24/7 (except federal holidays).

After the application package is retrieved out of the www.grants.gov system by EPA, the AOR should receive the following notification emails from www.grants.gov:

3. **GRANT###### Grants.gov Grantor Agency Retrieval Receipt for Application**
4. **GRANT###### Grants.gov Agency Tracking Number Assignment for Application**

Applications submitted through www.grants.gov will be time and date stamped electronically. If you do not receive a confirmation of receipt from EPA (not from www.grants.gov) within 30 days of the application deadline, please contact Jerry Minor-Gordon at minor-gordon.jerry@epa.gov. Failure to do so may result in your application not being reviewed.

Please note that successful submission of your application through www.grants.gov does not necessarily mean your application is eligible for award.

C. Technical Issues with Submission

If applicants experience technical issues during the submission of an application that they are unable to resolve, follow these procedures **before** the application deadline date:

1. Contact the www.grants.gov Support Center **before** the application deadline date at 1-800-518-4726 or https://gditshared.servicenowservices.com/hhs_grants.

2. Document the www.grants.gov ticket/case number.

3. Send an email with the Funding Opportunity Number, EPA-I-OLEM-OBLR-22-09, in the subject line to Jerry Minor-Gordon (minor-gordon.jerry@epa.gov) **before** the application deadline time and date. The email **must** include the following:
    a. The www.grants.gov ticket/case number(s).
    b. A description of the issue.
    c. The entire application package in PDF format.

Without this information, EPA may not be able to consider applications submitted outside of www.grants.gov. Any application submitted after the application deadline time and date deadline will be deemed ineligible and **not** be considered.

EPA will make decisions concerning acceptance of each application submitted outside of www.grants.gov on a case-by-case basis. EPA will only consider accepting applications that were unable to submit through www.grants.gov due to www.grants.gov or relevant www.sam.gov system issues or for unforeseen exigent circumstances, such as extreme weather interfering with Internet access. Failure of an applicant to submit prior to the application submission deadline time and date because they did not properly or timely register in www.sam.gov or www.grants.gov is not an acceptable reason to justify acceptance of an application outside of www.grants.gov.

D. Application Materials

The following forms and documents are **required** under this announcement.

1. Application for Federal Assistance (SF-424)
2. Budget Information for Non-Construction Programs (SF-424A)
3. EPA Key Contacts Form 5700-54
4. Preaward Compliance Review Report (EPA Form 4700-4) [Guidance on how to complete this form is available at www.epa.gov/grants/tips-completing-epa-form-4700-4.]
5. Project Narrative Attachment Form – attach the Narrative Information Sheet, the Narrative, and required attachments as one file, if possible. See Section IV.C. for details on the required content and the associated page limits.

The following forms and documents are **optional** under this announcement.

1. Grants.gov Lobbying Form – To be submitted by applicants requesting **more than** $100,000 of EPA grant funding.
2. Negotiated/Proposed Indirect Cost Rate Agreement – To be submitted using the Project Narrative Attachment Form by applicants proposing to charge indirect costs to the EPA grant. Please note that applicants may budget for indirect costs pending approval of their Indirect Cost Rate Agreement by the cognizant Federal agency or an exception granted by EPA under section 6.3 or 6.4 of EPA's Indirect Cost Policy for Recipients of EPA Assistance Agreements. However, recipients may not draw down indirect costs until their rate is approved or EPA grants an exception.

Note: A workplan is not required under this announcement. Applicants that are selected for funding will negotiate the workplan with EPA before the cooperative agreement is awarded. Additionally, selected applicants must provide EPA with other required forms and documents, as appropriate, to award the cooperative agreement.